BRIEF

APPEAL TO PUBLIC OPINION,

IN A SERIES OF

EXCEPTIONS

TO THE COURSE AND ACTION OF THE

METHODIST EPISCOPAL CHURCH,

FROM 1844 TO 1848,

AFFECTING THE RIGHTS AND INTERESTS

OF THE

METHODIST EPISCOPAL CHURCH, SOUTH.

BY

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SOUTHERN COMMISSIONERS FOR THE SETTLEMENT OF THE PROPERTY QUESTION BETWEEN THE TWO CHURCHES.

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APPEAL.

THE undersigned, duly accredited as Commissioners of the Methodist Episcopal Church, South, to secure if possible an amicable adjustment of the Property question in controversy between the two churches as equal contracting parties, under the compact of separation adopted by the General Conference of the whole church, May, 1844, in view of its subsequent probable division; regard themselves as imperiously called upon by their official position and the duties charged in their commission, as the Representatives of the Southern Division of the Methodist Episcopal Church, explicitly and in form to *call in question, and except to the course and action of the Methodist Episcopal Church, as above indicated, together with the alleged grounds and reasons of such course and action, and the necessary inferences involved, as essentially unjust and without warrant of law or right.*

And first, in the series of Specifications to which we invite attention, we *except* in form and most solemnly, as an injured party, to the right assumed and acted upon by the Methodist Episcopal Church, to disregard as of no authority, and attempt to render "null and void," the well considered, elaborate "Plan of Separation," declared to be "constitutional," and adopted nearly unanimously, by the representatives of all the annual conferences of the Methodist Episcopal Church, North and South, in General Conference assembled in 1844—after that the Southern Conference had become an acknowl-

edged contracting party with the consent and upon the invitation of the majority, pledging action upon a "Declaration" of necessity by the south—in maturing and consummating the "Plan" and terms of division, as afterward effected. The deed in question partook of the nature, and has all the validity of a deliberate, well-understood compact, entered into by parties with equal rights and claims, for the purpose of treating, finally and conclusively, upon the terms of "separation," as expressed by the General Conference in the title of the enactment. Interests, vital as the existence of the church, and enduring as its hopes and influence, were involved. Church relations, important as any recognized by Christianity, including those of the entire ministry and membership, from the Bishop down to the Slave and the Indian, were duly regulated by solemn and formal agreement, after some fifteen days of anxious deliberation. The transfer of church property, amounting to several millions, was duly provided for, and provisional arrangements made for the division of church funds, held in common by all, amounting to quite a million more. Claims and rights were preferred and asserted by the southern, and admitted by the northern delegates. The terms and conditions of payment and a final adjustment of all difficulties were agreed upon. The security of moral, and the transfer and use of pecuniary interests were duly provided for. Mutual values and considerations were exchanged, and the claims and concessions ratified and secured to the parties by formal legislative enactment, in the deed or Plan of Separation. These and kindred conventional arrangements were entered into, and the question of the fitness and necessity of actual final separation was left *by contract* to the Southern Conferences *exclusively*.

The sole right to determine on separation, without the after cognizance of any other tribunal, rested with the south, by express agreement. The necessity of separation was duly adjusted by those to whom the exclusive right of judgment had been expressly conceded, and the division of the Methodist Episcopal Church into two separate jurisdictions, North and South, took place accordingly, in strict conformity, both in form and substance, with the authorization of the General Conference. The only part of the Plan of Separation that depended in any way upon any other action of the church, related to the division of its vested funds in the Book Concern and Chartered Fund, and the alleged refusal of the annual conferences, North, to let us have our share of these funds, can have no effect upon the validity of the general plan, as is distinctly shown by the instrument itself. The division of funds was a *consequence* not a *condition* of separation. The grant to separate and become an independent church carries with it and necessarily implies the *right* to divide the common funds and property. The gross injustice therefore of holding on to what does not belong to them, and to which they have no moral, and, since the contract, no legal right, in the common judgment of the country, cannot, in any form, without the most direct unfairness, be pleaded in warrant of the still greater outrage of infidelity to the terms and conditions of the contract *expressly excepted* from the interference of the annual conferences. An attempt, therefore, such as we have witnessed in various forms, open and, it seems to us, reckless, without hesitation or scruple, under all these circumstances, and in violation of such an array of obligation, express and implied strikes us as utterly inconsistent with the honor and good faith pledged to us and

the world, in the Plan of Separation. This plan, by common consent of the parties, at the time of its adoption, created new rights and claims and corresponding expectations, on the part of the south—rights, claims, and expectations never before in existence, and that cannot now be recalled or disturbed, without the consent of the conferences to which as a contracting party they were conceded, *upon a formal setting forth of rights and grievances* in their Declaration and Protest. Territory was alienated, and independent rights and immunities guaranteed to the separating portion of the original church, placing it, by fair construction of law and equity, out of the power of any subsequent General Conference to disturb the settlement. Such acts of grant and transfer can only be annulled by an authority essentially similar to that giving them force; but, in view of the territorial separation and proper independence secured to the Church, South, by the acts in question, *no such authority is now in existence*, and any attempt to exercise it must be regarded as an arrogant, gratuitous assumption, unwarranted by right or reason. For example, the Plan of Separation clearly and unequivocally invests the Church, South, with all the rights and immunities of independent self-government, and with what show or semblance of reason, justice, or right, can a subsequent Northern General Conference attempt to re-consider and re-adjust such an arrangement? After alienating the territorial jurisdiction of the South by direct formal action in 1844, can the Northern General Conference of 1848, with but half the powers and rights of its predecessor in making the grant, now attempt to annul it, without an abuse of right, calling for the most determined resistance by the injured party? By what process have these alienated rights and powers

been reclaimed? What feasible ground of reclamation can be shown? What plea can be urged in abatement even of the unfairness and audacity of such a pretension? The very idea offers insult to the intelligence and virtue of the country. In the Plan of Separation, all idea of recovery or reclamation is explicitly terminated, or rather excluded, by express stipulation for a "distinct ecclesiastical establishment in the south;" and even the claim of right to re-subject the south to its former church relations, or otherwise disturb or unsettle its jurisdictional rights and interests, is too obviously unjust and out of place, to be regarded as other than preposterous. Apart, however, from the conclusive action of the General Conference of 1844, the entire episcopacy—all the bishops of the church, north as well as south—united in admitting the authority and giving effect to the Plan of Separation, in strict accordance with its terms and conditions. Their administration, by official avowal, was made to conform to it, and by how far it depended upon them, they declared their purpose to give it force and effectuation. They directed the method of adherence upon the border, north and south. They presided in southern conferences when the first action was had preparatory to calling a convention and establishing the Southern Church. The necessary preambles and resolutions on the subject of separation were adopted, and the delegates to the Convention were elected, in their eye and under their immediate presidency. These and kindred acts of annual conferences received their signature and sanction, because merely carrying out the Plan of Separation in good faith. It is not alleged that Bishop Soule or Andrew had withdrawn from the church until after the action of all the annual conferences in the

premises. Bishops Morris and Janes, who presided at about one half of the southern conferences where such action was had, continue to be good northern bishops, and the late General Conference has endorsed their administration as correct, and of course *valid.* And after all this does the General Conference of 1848 claim the right to declare the executive episcopal administration in all these respects "null and void," although in strict conformity with the provisional enactments of a General Conference superior in numbers, rights, and powers, to the subsequent one absurdly claiming the right of nullification? If this be so, and the result, it seems to us, is inevitable upon the destruction of the Plan of Separation, then it follows that this potent Abolition body, in their phrenzied attempts to destroy the Plan of Separation, have *abolished* their own government, and are found in a state of aimless revolution, and their bishops will perhaps begin to see what is meant by the declaration of one of their number, that bishops, in a sense fearfully derivative, are but "the creatures of the General Conference"—the mere victims of its ever-shifting caprice and expediency. In this reasoning, we occupy well defined historic ground. Our argument will be found rigidly based upon the Plan of Separation, an attested copy of which accompanies, and is made a part of this Appeal. We shall keep our censors "to the *law* and the *testimony.*" This is the only arbitrement we intend to abide. And in fixing attention upon it, we urge further, that having, with all the formalities and sanctions usual in such cases, authorized the movement and deed of separation, with all attendant rights, expectations, and reversions, should the original right to do so be even doubted now, any attempt to annul and render void the action and assurances upon which

the South relied, must be looked upon as an act of sheer injustice, if not dishonor, because utterly irreconcilable with what they themselves induced us to believe we were in good faith receiving at their hands. What truth or reliability can be claimed for the pledges or assurances of a body or party, capable of the conduct we find it necessary thus to *except* to? How did they persuade themselves that the collective, concurrent assent and action of all the annual conferences in General Conference assembled could, in the matter of a plain agreement—a simple contract—creating new permanent interests and relations on the part of the South, be revoked by the separate *exparte* action of a part only! Can such conduct fail to react upon those resorting to it? All this is to us, and must be to the world, the more astounding, as the Plan of Separation is not merely an ecclesiastical arrangement or convention—a compact of settlement and separation between two great church parties, unable longer to agree and live together in peace—but it is in many respects a *civil* contract, for it not only originated in the civil relations of the parties, but involves large property rights, rendering it the more unaccountable how men of sense and honor could even attempt to retreat from such obligations. The Plan gives us full chartered rights as a church. We are told to go, with rights, powers, privileges, and property, and when we have gone, four years after, we are told all is recalled! We may be mistaken, but it does appear to us, that by how far enlightened public discernment may be brought to bear upon such absurdities, the conduct in question must attract the rebuke, if not contempt of public opinion. Had the facts in the case been fully and fairly presented to the public without false statements and false issues, we should not have

deemed it necessary to appeal to public opinion, but the true issue and the merits of the case have been so disingenuously disfigured and distorted—the attempt to withhold correct iuformation and suppress the truth has been so staid, so deliberately cool and impudent—it has become indispensable we should speak with a plainness and severity which under other circumstances we should have felt to be improper. Let the reader of this *Bill of Exceptions* turn to the language and acts of the late General Conference alone, and he will be compelled, despite any force of adverse predilection he may have brought to the examination of the subject, to perceive that, in this brief vindication of the South, we have introduced nothing not suggested and warranted by the attacks we repel. Our position is that of defence. We are compelled to repel invasion and assault, or be overthrown and trodden upon by the assailants. And believing ourselves in the right, satisfied perfectly that we occupy high moral vantage ground both as christians and citizens, and entirely conscious, meanwhile, of being fully able to vindicate our own integrity and rights, and show the wrong of the adverse party, we address ourselves to the task, with the single misgiving, that the truth may be too humiliating to be told, under any amount or kind of provocation. We are known to the public, and we ask the public to hold us to a strict accountability. It has been our aim to state nothing but what we can prove, whether in the shape of facts or inferences, and the intelligent reader will perceive, in part at least, at every step as he proceeds, the character and weight of the evidence upon which we rely. Fulness of detail has been impossible, but we furnish such facts as clearly to show we have no occasion to resort to declamation and abuse. If

we state our case and plead our cause in plain and strong language, let it be borne in mind, it is no ordinary emergency we are called to meet. And we have expressed ourselves with the point and directness, necessary to a clear, manly, and conclusive defence against the imputations of our enemies.

SECOND.—*The assumption that the General Conference of* 1844 *had no right or power to adopt the Plan of Separation, or authorize, as it did, the "Southern Organization," and that the power implied did not exist in the church itself, is another item to which we would call attention, and to the doctrine of which we* EXCEPT *as absurd and fallacious both in principle and application.* The Methodist Episcopal Church, as an organized body, is but an association of individuals, voluntarily united for specific purposes. Both its institution and maintainance depend upon voluntary association, as the principle and condition of existence. It is a self-instituted body, and, of right and necessity, a self-regulated body. The power of self-control co-exists with its very nature, and belongs specifically to its structure, at every period of existence. It has the same right and power to change its name, its form, or its organization, that it originally had to select and adjust them. The right and power in question are essentially incident to the very being of the body, and are at once inherent and inextinguishable. The power of change and modification is inalienably incidental to the association, and can be exerted at any time. The claim of immutability—invincible sameness of structure and action—will of course not be set up, because too absurd to be thought of, and if not, where do the necessary right and power of change belong, if not to

the body itself, as subject to no superior will or extrinsic control? Such being the undoubted right of the body as a church organization, the question arises to what extent the General Conference has a right, and especially under circumstances of great and unexpected emergency, to act for the church, in the matter of so dividing its own general jurisdiction, as to create of the one two separate, independent jurisdictions, with similar rights, powers, and privileges. The law or constitution of the church expressly invests the General Conference with "*full* powers to make *all* rules and regulations" deemed necessary for the good of the church, with only six restrictions, *imposed by the same* power or body that enacted the law. But two of these can possibly be supposed to apply to the question at issue, and it has been so often and irrefutably shown that the attempted application of these cannot be sustained, that it is deemed unnecessary to resort to elaborate argument, A very summary statement will show how this argument may be brought to bear. "The Plan of Itinerant General Superintendency," in the Methodist Episcopal Church, South, is precisely, and in every respect and particular, what it has been in the government of the church since 1808; and the fact of no change at all, in form or substance, and no probability of any, of whatever kind, ought certainly to satisfy the most exacting scrupulosity. The superintendency in question is but "general," opposed to local or diocesan, and not universal, north or south. The system is not affected by the Plan of Separation. It remains as it was in every thing material. As it regards the north, it is withdrawn from the south; just as twenty years ago it was withdrawn from Canada. The logic which makes the "Plan" destroy it, shews most conclusively that it was

destroyed in 1828, when the Canada Conference was "set off," as an independent church. Besides, in the sense of a universal superintendency, as understood of each member of the bench of bishops, the church has had no such superintendency for the last thirty-five years. The whole argument, therefore, as urged by our opponents, is without support either from the language of the restriction, or the facts in the case, and is plainly fallacious and inapplicable, both in law and reason.

And, secondly, the Plan of Separation does not directly or indirectly, in whole or in part, do away with the privileges of ministers, preachers, or members, as it regards "Trial by committee and of Appeal." We have the same law, without the variation of a word, the same tribunals, and the same means and methods of administration, to secure the plan of itinerant general superintendency, and the rights of ministers and members by trial and appeal, that is found in the other division of the church, or that existed in the undivided body before separation, and consequently the restrictions urged cannot, with any show of reason or pertinence, be pleaded in bar to the clear and undoubted right of the General Conference of 1844 to adopt and authorize the effectuation of the Plan of Separation. No law of the church, in the shape either of statute or precedent, interposed any barrier to the action of that body, in authorizing the establishment of a "separate ecclesiastical connection in the slaveholding states." And it is further true, that the specific power in question, in the whole extent of its implication, had been exercised by the General Conference on former occasions, without consulting the annual conferences in any form. Not to insist, although forcibly pertinent, upon the great organic change which took place in the composition of

the General Conference in 1808, by its own sole action, without even the more essential forms of conventional arrangement and ratification, except to a very limited extent, and only by a small minority of the parties interested—involving the exercise of the same power with that exercised by the General Conference of 1844, in relation to the division of its territorial jurisdiction—not to insist upon this example, the point and pertinence of which must be felt by every one—we ask attention to examples and precedents, in which the analogy is complete, both in form and purpose. In 1820 the General Conference took all the necessary steps, without the consent of the annual conferences, or the ministers and members transferred, to *alienate* utterly and forever the entire territory of Lower Canada, from under the jurisdiction of the Methodist Episcopal Church, and it was accordingly transferred, with all the resident local ministers and members in the province, to the British Wesleyan Connection. This act incontestably involves precisely the *same* and *all* the power exercised by the General Conference in 1844 in the alienation of territory and the transfer of ministers and members to the Southern organization, by the adoption of the Plan of Separation. If the latter act be invalid, the former must be so too; the one must be as "null and void" as the other.

To demonstrate, however, beyond cavil, that the power under notice has been fully and unequivocally exercised by the General Conference, without the concurrence of the annual conferences, it is only necessary to recall the historical fact, admitting of no evasion or denial, that the Canada Annual Conference of the Methodist Episcopal Church was, by the General Conference of 1828, authorized in the most solemn and explicit terms to assume

independence as a separate church, and the General Conference itself cut the tie of connection by which it was bound to the Methodist Episcopal Church, in the following memorable resolution:—"Resolved that the *compact* now existing between the Canada Annual Conference and the Methodist Episcopal Church in the United States *be* and *hereby is dissolved*, by mutual consent."—Here, then, we have the direct formal assumption and exercise of right and power by the General Conference, without the consent of the annual conferences, *to divide in absolute form* the Methodist Episcopal Church. No language under heaven could prove more directly or irresistibly, that the General Conference of the Methodist Episcopal Church has *assumed* and *exercised* the right of dividing the church, so as to alienate jurisdiction and territory with all their appropriate adjuncts, and thus directly remove, without their consent, ministers and members from under the control of the Methodist Episcopal Church, with a view to their becoming an independent church establishment. The evidence is full and conclusive, and no room is left for the evasions of sophistry, or the hardihood of denial, such as figure so imposingly in the debates, preambles, and resolutions of the late General Conference at Pittsburgh. This last precedent is full and pertinent, in every point and aspect, and we thus have the warrant not merely of the law of the church, but of grave established precedents, sustaining as legitimate and "constitutional" the action of the General Conference of 1844. Nor is this all. The General Conference of 1828 divided the fund or property of the Book Concern with the Canada Conference, *set off* as above, by ordering the New York Conference (where the Book Concern was located) to pay the Canada

Conference the sum of $10,000 in cash or its equivalent, besides valuable pecuniary advantages, equal to cash, connected with the supply of books, they stipulated for, as an independent church. Here, then, is the full authority of previous General Conference action, not only for dividing the church, but for dividing the funds also, without annual conference concurrence. And the question will be asked, and must be answered, why not deal with the south in the same way? Why trifle with the former reputation of the church, by pronouncing such action weak and wicked, unwarranted and even sacrilegious, as was done at the recent session of the same body in Pittsburgh? Sensibly was it remarked by Dr. Ryerson, a delegate from this same Canada church to the late General Conference, that *in principle* he was unable to perceive any difference in the two cases. And this, we doubt not, is really the opinion of all who understand the facts. In the Canada case, the action is avowed, in view of a "separate church establishment," and in that of the south in 1844, "a distinct ecclesiastical connexion," to which all bishops and ministers of every grade are allowed, in the language of the instrument itself, to "attach themselves without blame," and without reference to border relations, or let or hindrance of any kind.

If then, as now distinctly declared, the General Conference has no such power, as that incontestably exercised in the instances given at length, and such declaration should prove any thing more than a mere denunciatory averment—that is, should it be carried into practical effect, it will result in the overthrow of the General Conference itself, as an organ of final control—the reclamation of the territory, ministers and members in Lower Canada transferred to the British Conference—the resto-

ration of the Canada Conference to the jurisdiction of the Methodist Episcopal Church, together with the re-subjection of the Methodist Episcopal Church, South, to the same capricious, ever-changing sovereignty! This absurd and and faithless action, by the late Northern General Conference, should certainly have been had before Drs. Dixon, Richey, Ryerson, and Green left the scene of events, in which they had a deep and common interest with the south. The formal official declaration, such by every fair construction of the language employed, made in the absence of these delegates, that the action of the General Conference of 1820 in the case of Lower Canada, and that of 1828 in the case of the Canada Annual Conference, were had without right or power in the premises, and must, therefore, render the action in either case "null and void," may, if it be the purpose of the church to act upon its own avowed principles and policy in this respect, affect important church interests and relations. We call attention to the following declaratory act of the northern General Conference of 1848. "There exists no power in the General Conference of the Methodist Episcopal Church, to pass an act which either directly or indirectly effectuates, or authorizes, or sanctions a division of said church." This is sufficiently unambiguous, and it directly concerns the British Wesleyan connexion,—the Wesleyan Methodist Church of Canada, and the Methodist Episcopal Church, South,—for it is as true, as the foregoing declaration is strong and preposterous, that the General Conferences of 1820, 1828, and 1844, did "pass" acts dividing the Methodist Episcopal Church three several times, and which acts "effectuated, authorized, and sanctioned" such divisions, so that the whole body of Methodists in the province of Lower

Canada, and those within the limits of the former Canada Annual Conference, and all within the territory of the Methodist Episcopal Church, South, have, by means of such acts, been placed beyond the control of the Methodist Episcopal Church, as truly and effectually as though they had never belonged to the church. Now, however, we are told, that all these acts were without right or authority—were debarred by the constitution, and must of necessity be "null and void," for the sage declaration under notice informs us that, as the General Conference cannot pass an act to "effectuate" or "authorize," so it cannot pass one to "sanction" division, and it follows, of course, that the Wesleyan Canadian Methodists, belonging to the British and Canadian churches, and those of the Methodist Episcopal Church, South, are without remedy. No act of legitimacy—no removal of the ban resulting from their own abuse of prerogative, want of sense or virtue, or both—on the part of the General Conferences of 1820, 1828, and 1844—can ever be expected at the hands of the more enlightened General Conference now having charge of their mismanaged interests! The credulous good nature and blundering diplomacy of McKendre, Emory, and others, who negotiated the divisions of 1820 and 1828, and the sad incompetency of the majority and minority leaders, in the eventful struggle and division of 1844, cease to command respect, and give place to the rarer lights of legislation and morals—Finley, Cartwright, Curry, Walker, Tomlinson,—*et id omne genus*—distinguishing the more recent history of Northern Methodism. Again, has not the General Conference, without the annual conferences, the right of receiving or rejecting, on application, other churches or portions of them, ministers and people, as proposed inte-

gral parts of the Methodist Episcopal Church? Has not this power been exercised in numerous forms and instances, and if so, is it not equally an incidental, unquestionable power of the General Conference, as the supreme organ of action in behalf of the whole church, to divide and transfer its jurisdiction, and so part with a portion of its original rule and sovereignty, and especially when the common good may call for such division and transfer, and the arrangement does not contravene, as we have seen it need not, the great moral elements or essential unity of Methodism, as a system of religious faith and practice? Is there any power or right implied in the latter, not clearly and undoubtedly exercised in the former, and if not, how must this view of the subject add to the absurdity of the claim against which we are reasoning? In the famous reply to the protest of the southern delegates in 1844, and which the majority made their own by making it *a part of their journal*, the General Conference gravely assumes the position, that they "have *all powers* except such as are *expressly* taken away," and as it is notorious to all, that the power to divide the general jurisdiction of the church is not taken away, either expressly or by fair implication, the above declaration "expressly" affirms the power of the General Conference to divide the church, in the only sense in which we contend it has been divided—that is, one general jurisdiction was divided into two, north and south. Bishop Hamline affirms,—and his opinions have received the highest sanction of the church north, in his election to the Episcopacy, soon after making the speech from which we quote, —Bishop H. affirms that the General Conference "is endowed with dominion, and made *imperial*." He adds, "it is *supreme*—its supremacy is *universal*—it has legis-

lative, judicial, and executive *supremacy*." And yet the very men who endorsed this vaunting assumption in 1844, tell us in 1848, that no such powers are possessed by the General Conference, and that it is an extravagance of pretension, calling for legislative rebuke!

Let this question be thrown back upon the original ground on which it came up in 1844, connected with the fearful difficulties of the occasion, and finding it necessary for the common good, did not the right of self-protection give the right of the division provided for? What beside peaceable separation could have saved the church from being violently torn to pieces? We maintain the General Conference had fair and full grant of power to do as it did, under the circumstances. We have seen that the very definition of a church shows the utter absurdity of the supposition that the right of division does not belong to a church, when its proper tribunals of judgment, and constitutional organs of action, adjudge it necessary, in order the better to accomplish the purposes of its institution. The thirteenth article of the creed of the church says, "the visible church of Christ is a congregation of faithful men, in which the pure word of God is preached, and the sacraments duly administered, according to Christ's ordinance;" and may not such company or congregation divide, and exist and operate under different jurisdictions and distinct ecclesiastical arrangements, and yet secure the ends predicated of the organization? The twenty-second article says, "every particular church, (that is, christian denomination,) may ordain, change, or abolish rites and ceremonies," and, of course, "rules and regulations" connected with the external machinery of government. Was this warrant transcended by the General Conference of 1844, in adopting the

Plan of Separation? The suffrage of all history is in favor of our argument. Every church that has ever existed as a general collective body, has divided in point of fact, either by mutual consent or under the force of emergent circumstances. The assumption we oppose is contradicted by all history, and is overthrown by all precedent, as well as by all just conceptions of the nature of a church. The system of church government—the organism of its collective action—is but the expression and form of thought and feeling, as the true subjective elements of christian piety, and no idea of unchangeableness as to form can attach to it, without trifling with reason and common sense. The right of a church to declare existence under a *single* jurisdiction carries with it, by inevitable implication, the right of doing so under *two* or more—the latter follows irresistibly from the former. Conception and belief of the one involve the other so conclusively that no room is left for doubt, and the only question about it must relate—can only apply—to the mode and means of action. What power originally declared a single general, jurisdiction, in the instance of the Methodist Episcopal Church? The Preachers, and but a portion of them, meeting on brief notice as a General Conference, and themselves assuming the power. All the traveling ministry then had a right, by common consent, to a seat in the body. Subsequently the same power changed the composition of the body, excluding some, and admitting others upon specified conditions. The whole investment of power was in themselves. It was not shared with others. They, bishops and preachers, constituted *the government*, in the last resort. Such being the facts in the case, can any one doubt the right to divide, or transfer a portion of its jurisdiction? So

far as there was any right in the first case, it must attach in the second. Methodist church polity, as such, is a simple organization, originating in the wisdom and foresight of Wesley and his followers, for the effective diffusion of christianity, to be adapted in its external relations from time to time, and in every country, to the wants and exigencies of time and place. It is an avowed part of its mission always and everywhere to consult the tendencies of the age, and the character, claims, and relations of the people. Its organic structure, as a system of effort and achievement, has been variously modified, changed, and re-adjusted, to meet unexpected developments and emergencies, both in Europe and America—in Wesley's time, and since. Viewed as an external mechanism, no one pretends that it is of divine origin, and to assume a mystic, intangible oneness—an indivisible aggregation and catholic unity of parts—precluding a division of numbers, territory, or jurisdiction, such as is claimed by Popery and the popish High-Churchism of the Oxford Tractarians, is so essentially absurd and ridiculous, that to name it is to dismiss it as unworthy of notice. Such an assumption would be at once to challenge and verify the assaults and imputations of both Lavington and Southey. The system of government and action adopted by Wesley and all true Wesleyans is intended to give living and permanent form to the zeal and earnestness properly belonging to christian principle and christian profession, and not so to generalize abstract dogmas, and systematize the experience and feelings of the many, as to render the character of the *collective* body entirely independent of that of the individual members composing it. This fundamental error constitutes the capital blunder and withering curse of Popery and High

Churchism, and is utterly subversive of the true *eclectic* character of Methodism. The moment we assume that the church, as a visible voluntary organization, has no right to separate into different departments of jurisdiction and action, we assume its structure to be of divine origin, and overthrow at once a great foundation principle, not of Methodism only, but of the Protestant faith, as mainly distinguished from Popery.

Viewing a church organization in these lights, continued *unity* or *division*—as the governing power, in view of circumstances, may determine—must be regarded as necessary contingents, inseparable from the nature of the compact or principle of association. The general right for which we contend, enters into the very conception of church independence, and is included in every idea of proper sovereignty, The right and power of self regulation involve it so essentially, that its denial becomes at once absurd and meaningless—a mere theoretical dogma, or fiction of feeling.

The Plan of Separation simply proposed a division of the sovereign power *in its exercise*; that is, a separate but essentially similar jurisdiction—separate, as it regards the territory, rulers, and subjects of it, but in everything else the same as before the division. The true original unity of the church is not affected by the division; for while it is subjected of course to some new conditions and altered relations, yet, as these do not extend to faith, practice, or form of government, the proper moral unity of the church is in no way affected by the Plan of Separation.

THIRD.—*We except to the gratuitous averment and charge, that no necessity, no valid cause or sufficient rea-*

son, existed for the Declaration of the Southern Delegates in 1844, *or the course adopted by the Annual Conferences in the Slave-holding States subsequently.* The misrepresentation of truth and fact, in this instance, is so gross —so utterly groundless and offensively unjust—that no alternative is left us but to expose its entire want of truth and fairness. This we shall do with all plainness; appealing to various unquestionable sources of proof, and, among others, compelling the very men who preferred the charge, to furnish the most conclusive evidence of its falsehood and injustice, provided their own acts and averments are worthy of credit. In the Declaration alluded to, the southern delegates avow the conviction that a state of things "*must* result" from the action of the General Conference on slavery, rendering it impossible to accomplish the great objects of the christian ministry, in the south, under the jurisdiction of a body capable of the outrage complained of; and the Plan of Separation itself recognizes the *only* difficulty creating the necessity, as *then* existing. Northern delegates, with ample means of information, from long residence in the south and other sources, as Dr. Olin and others, bore the same testimony, and declared their entire conviction, that the southern ministry could not live under the burden of such a grievance. The Plan concedes, in language stamping the imputation under notice with all the indelible characters of the most reckless misrepresentation, that fifty-one southern delegates then and there declared, without reference to future and further information, that in view of what had taken place, the usefulness of the southern ministry "must" be fearfully abridged, "under the jurisdiction of the General Conference, as then constituted." The thousand affirmations, paraded in all the possible forms of *ad captandum* appeal,

to the effect that the question of necessity connected only with the *future*, when examined in the light of facts and history, will be found to be as destitute of truth as they must have been malignant in purpose. The contrary appears upon the *face* of the whole evidence in the case. The hypothetical forms of expression in the Plan, such as, "should it be found necessary," were inserted expressly, not to question the existence of the necessity directly declared on the one hand and admitted on the other, but to keep open the door of continued union, should it be found at all practicable, consistently with the interests involved, and *already*, as we have seen, in imminent peril.

The Church, South, in overwhelming majorities, leaving only small portions as exceptions to the rule, had everywhere declared against the anti-slavery and abolition movements of the General Conference, as inexcusable violations of law and right, long before the southern delegates returned to their homes, and on the basis of information reaching them almost exclusively through the medium of the "Christian Advocate and Journal," as the original source of intelligence. The imputations so rife and common with the party-managers, north, that the southern delegates agitated the southern mind, and misled the General Conference by a show of necessity that did not exist, are fated, by the sober decisions of truth and candor, to find rank and place among innumerable other exhibitions of disappointed malignity and baffled spleen, furnishing the principal staple of gain and influence among vilifiers of the south, in the shape of northern Methodist preachers. Besides, it is proper it should be as well known by all as it is by some, that the southern delegates, as southern ministers and citizens, felt themselves shut up to the necessity of resistance and even separation, unless

the majority changed their policy and position on the subject of slavery, as shown at length, and without the possibility of misconception, in the Declaration and Protest. They regarded the position and course of the conference on this subject, as alike inconsistent with the mission of Methodism and the laws of christianity, and an unauthorized attempt to torture the first into an amendment or repeal of the second. Such were then our sentiments, and such continue to be our convictions and feelings; and the more we hear and learn on the subject, connected with the north generally, and northern Methodism especially, the more we are satisfied that the whole movement has had its origin in motives, and been sustained by means and appliances, having no connection with christian piety. There was then—there is now—no likelihood of any agreement between us on this subject; and we now re-affirm, in the full confidence of truth and right, what we said to the church, north, in 1844. We are not only willing, but anxious and resolved, as a christian body, to abide in all fidelity and singleness of purpose, the legislation of the bible on the subject of slavery; and as this legislation is full and explicit, varied and multiform, in its notices and instructions in view of all the relations and duties, rights and interests of master and slave, as differently mixed up in different states and countries, with various forms of political organization, and the established jural relations of government and society, we deem church legislation beyond this unwise and uncalled for; and by how far the church shall attempt to legislate in contravention of the bible and without the warrant of christianity, whose revelations and requirements are the only allowable standard of judgment and appeal, we occupy at once the ground of dissent and resistance. When this

is done, as it has been by the Methodist E. Church, we say, once for all, and to all concerned, we have for such legislation no respect, and will not submit to it. We regard christianity as dishonored in its claims and damaged in its influence by all such movements, and to the extent any church may become a pander to such methods of influence and distinction, we decline intercourse; and no array of adverse combination—no "World's Alliance"—shall ever gull or drive us into such a desecration of the divine claims of christianity. We leave every church of this description alone in its glory or shame. We have no sympathy with its extra-christian optimism. It is too far in advance of Christ and Paul to allow us any chance in the race; and whatever "enchantment' may connect with the "view" and career of such reformers, so far as we are concerned, we prefer that "distance" shall "lend" it!

It is our mission to preach Christ, and faithfully teach and evangelize master and slave; and as we find the condition of either improved, by an advance in moral progress or physical improvement, it becomes the measure and warrant of our rejoicing. If the great law of Christian evangelization, as given by the world's apostle, that "in Christ Jesus there is neither bond nor free," be true or has any meaning, then those churches or ministers who are always parading denials and harping contradictions of its truth and fitness, lest the maxim of church action in apostolic times should be thought worthy the deference of modern enlightenment, should be allowed the rare distinction they so ambitiously covet—that of improving upon the ethics of Paul, and regretting the omissions of his Master! With such churches and ministers we wish to have nothing to do. To our conception, no truth in

history or proposition in morals is more certainly true than that the position and movements of the Methodist Church, North, in its Abolition and Anti-slavery Crusade, —its war of subjection and extermination against the South—is, in all the aspects giving it form and character, not only unauthorized by christianity, but in direct violation of the teachings of the bible, and by so far immoral and ungodly, because at variance with the doctrine and morality of the bible regulating the subject.

The announcement may startle, but we fear no analysis which may be brought to bear upon it. No array of names or numbers can affect us. To cursing and recrimination we have been too long accustomed, not to know their impotence. The ban of non-intercourse—no confraternity with southern Methodists—the shout of abolition abuse and hate—the being made the song of the reviler, in places high or low, where anti-slavery holds carnival, as recently in Pittsburg—all these things, with whatever more of the same kind may be in reversion, do not move us. We know our position, and intend to occupy and maintain it. We are firm and quiet, although not asleep or indifferent. To the charge of "pro-slavery" we say "No," distinctly, unless you can show that the bible is for it. If the charge be that we are not "anti-slavery," our reply is, we are so only, and yet to the full extent that the bible is. Thus far we go, but further we cannot—we will not. And why is this not satisfactory? The bible discusses and regulates the subject as a question of ethics—of practical christian morality—and we bow to its light and authority. The amendments of the church we reject. As it is a question in every country belonging to the state, and not the church, it is our creed and purpose to go as far *against* slavery as christianity

teaches, and no further *for* it than christianity allows. And by this rule let all men know how to judge us, and where to find us. And the man, whoever he may be, or wherever found, who points to us, and cries "*pro-slavery*" or "*no anti-slavery*," if he mean anything variant from this rule, does so "with a lie in his right hand."

We submitted, and went with the northern portion of the church for the sake of peace and on the ground of compromise, until we became perfectly satisfied that they were *off the bible* and against the laws and polity of the country on the subject—were ultra and fanatic—impatient of the restraints of truth and right—assailing and attempting to undermine and overthrow civil institutions, existing under the full sanction of the national compact—sowing discord and promoting disunion throughout the different states, as divided upon the question—and then we deemed it time to stop, and informed them distinctly we would no longer submit to such a course. If we are mistaken, or reason inconclusively on this subject, let it be shown. The question is one of christian morals, noticed at length and disposed of in the scriptures, whose decisions are final among christians. To this test we hold the abolitionist and the slaveholder, so far as the morality of the question is concerned. It is in this aspect of the subject we have dissented from the North of the Methodist E. Church, under the clear and full impression that they are as far from the bible as from us, in the views and action they are pushing to such extremity against the South. The light and darkness of heaven and hell are scarcely in more unyielding contrast than the conduct of the northern Methodist Church and that of Christ and his apostles, in their action on the subject of slavery. The latter, evangelizing countries in which

slaves were found in millions, simply instructed master and slave in the duties growing out of their reciprocal relations, without in any way denouncing or disturbing the relation itself. The former, however, assuming of course to be better informed, make it no small part of their business to disturb and agitate, curse and abuse. No intelligence can resist the conviction that one of these extremes must be wrong. Which is it? That both can be right is inconceivable. Here may be seen at once the necessity for separation between the North and South of the Methodist Church. The whole movement north is a proclamation of notice, that the defective legislation of heaven on the subject of slavery can be borne no longer, and must be supplemented by "another gospel"—the rare interfusions and superadditions of abolition ethics and anti-slavery propogandism. In the glory, the spoil, and excitement of all such movements and demonstrations, we have no participation. We are withheld from them by considerations, which, in our judgment, should always, in every country, influence the christian and the citizen. Methodism, repeating only the lessons of christianity, has always taught that divine direction and influence never give character to a church, people, or individual, except by means of the bible, as the full and sufficient revelation of the divine will; and there is nothing of which we are more certain than the opinions and conduct against which we protest, have no original type or warrant in the word of God. These convictions are nearly universal among southern Methodists; and hence, in the nature and fitness of things, the necessity of separation assumed by their action during the last four years.

The Plan of Separation was adopted giving unlimited and exclusive right to the southern delegates, *then* and

there present, to judge of such necessity *at the time.* This however was declined, and, at *our* instance, the Plan, after its final passage, was so altered, as to give the right to the annual conferences in the slave-holding states. Why has this fact been so carefully suppressed in the North, and the impression attempted to be made, that *they required* the authority of the Plan, to turn upon *future* developments in the South. The law itself—the plain language of the Plan—proves the statement to be untrue, and every member of the General Conference of 1844 knew it to be so, and yet the falsehood has had unchecked currency at the North for four years. What was the motive—was it to deceive and mislead, lest the action of the South should be regarded as in accordance with law and right? We are not disposed and it certainly cannot be necessary, after the facts are known, to do more than allude to the claim of right set up, assumed and asserted in various forms by the Northern General Conference, to be themselves the judges of the necessity of separation after formally conceding in the Plan, that the southern annual conferences were to be the sole judges in the case! The claim is so sheerly unjust, and ridiculously unfeasible, in every view of the facts and circumstances, that .to name the absurd pretence, would seem to render any farther notice of it unnecessary. The intelligent reader however will not be able to dismiss it, without noticing how inextricably it involves the character of the General Conference. In 1844, they admit in the Plan, that the only proper judges of the necessity of separation are the southern delegates and conferences, and distinctly relinquish all right in the premises. Such was their official judgment and final action upon which the South relied. In 1848, having

meanwhile determined to destroy the Plan, and treat their own action in 1844, with the most reckless contempt—having denied their obligation to pay a debt claimed by the South, the justice of which was admitted in 1844, by a clear majority of 140 members of the body—they resolve, as they are going to destroy the Plan and repudiate their southern debt, that it will be necessary for them to constitute *themselves* the judges of a necessity, which had been decided upon and finally determined three years before, under their own direction, and in strict accordance with a law of their own enactment! They decide in the case, as men capable of such conduct might be expected to, that there existed no necessity for separation, and, *ergo*, that the Plan may be destroyed and the funds withheld! And this is "the strictest equity" solemnly pledged us in the Plan of Separation!

The statement has been made in different forms and variously urged, as a reason for not keeping faith with the South, that the southern delegates, before leaving New York in 1844, met and resolved on separation, without consultation with their constituents—that the Louisville Convention was *then* and *there* appointed, and that the delegates then went to work to get up an excitement! And, connected with this, is the equally astounding statement, that the action of the General Conference has no reference to the actual separation of the South, and was only intended as a "peace-measure"—a barrel to the whale—or rather a mere ruse, to keep the South quiet, and give the North time to rally and recruit! How the deception, if not fraud, involved in such a statement, could in any sense be a "peace-measure," is beyond our discernment. Such charges demand at least a brief notice at our hands—and the last first.

The mis-statements and falsehoods of the press, and similar offences against truth and history, in debate, and under other circumstances, will be best corrected and settled, by the journal-records of the General Conference itself. The authors and retailers of the fabrication, that separation was not in the contemplation of that body, can never remove the impossibility of believing their statement, created by the nearly unanimous adoption of the following resolution:—

"*Resolved*, That the committee appointed to take into consideration the communication of the Delegates from the Southern Conferences *be instructed*, provided they cannot in their judgment devise a plan for an amicable adjustment of the difficulties now existing in the church on the subject of Slavery, to devise, if possible, a *constitutional plan* for a mutual and friendly *division of the church*."

This language is too unmistakeably exact to have been misunderstood by any one. The resolution proves incontrovertibly, that the Committee of Nine were authoritatively instructed to bring in a plan for *dividing* the church, and the plan was brought in accordingly and duly adopted, as the "constitutional plan," ordered by the Conference. A motion was made to strike out the word "constitutional," but it was promptly rejected; and the South were thus assured by the General Conference, in a form the most direct and explicit, that their separation should be "constitutional." Here, then, is proof, clear as was ever perceived by the human mind, that the General Conference did contemplate and intend division, and division, too, without disability of any kind, if the South so elected; and the denial of it at the late Pittsburgh Conference, in twenty different forms, cannot fail to provoke the surprise and scorn of any mind capable of feeling the force of evidence. Moreover, the General

Conference gave to the report of a "constitutional plan" for dividing the church, the title of "Plan of *Separation*." The object is avowed in terms, and even repeatedly, in the instrument itself; and the whole Report is nonsense without it. Similar terms and equally distinctive forms of expression, were used in debate, as we shall have occasion to show,—although with the full conviction, how unnecessary it must be to multiply evidence in a case where belief, after all, must rest upon the impossibility of doubt. As it regards the other charge, that the southern delegates were guilty of deception in affecting to believe separation necessary, when no such necessity existed, and that they forestalled deliberation in the South by appointing the Louisville Convention before they left New York—whereas the validity of the whole Plan depended on future developments—it will be seen at once, that the first part of this impossible ill-conceived fiction, is utterly overthrown by the decisive fact, already stated, that the General Conference *agreed to let the question of necessity be conclusively settled by the Southern Delegates alone, on the 8th day of June*, 1844, in the city of New York! And after such consent and agreement, with what claim to truth or fairness did the recent General Conference deliberately charge what their own journal declares was not the fact and is not true in the case. The fact is, but for the great anxiety of the southern delegates (not Northern,) to proceed cautiously and safely, the question of necessity *would have had no future* at all; and the only "deception" in the case—every thing that resembles "fraudulent" double-dealing—belongs to those who have done all in their power to withhold this fact from public notice, whenever and wherever it has been likely to attract such notice. The other part of this attempt at false impression admits of ready adjustment.

The southern delegates published an address to the church, south, before leaving New York, in which, without expressing any opinion of their own, and after leaving the whole question of necessity to be decided by the Annual conferences, after ascertaining the conviction and judgment of the whole church on the subject, they recommend what they considered a suitable mode of action, should the necessity of separation be finally determined upon. This was only doing what they had a right and the General Conference had expressly authorized them to do, and what all men of considerate foresight would have done, under the circumstances. They say to the church, south, "We beg leave to submit to your consideration the expediency of concurring in the following plan of procuring *the judgment of the church*, in the slaveholding States, as to the *propriety* of organizing a Southern Division of the Methodist Episcopal Church in the United States, and of effecting such an organization, *should it be deemed necessary*. Of this necessity *you are the judges*, after a careful survey and comparison of all the reasons for and against it." Such are the facts and evidence, both undeniable, except by men who are prepared to assert any thing that may suit their purpose; and, in the light of these facts and such evidence, what becomes of the fierce, paltry tissue of accusation and abuse, by which both have been so shamefully distorted by a large body of Christian Ministers!

So far from its being true, in whole or in part, that separation was not contemplated, except as a remote possible contingency, as assumed by the Pittsburgh General Conference—the whole being the mere echo of the ever-teeming abuse and distortion of the New York and Cincinnati "Advocates," for the last four years—the well

known fact is, the whole course of the southern delegation, told the northern, (and *they* shall *prove* the statement,) that their extravagant and fanatic prejudices—their innovating encroachments on the rights and quiet of southern citizenship, contrary to the law of the church and the law of the land, and without plea of suggestion from the Word of God—rendered separation inevitable, unless they relaxed in their course and retraced their steps; and this is given as the *ultimatum* of their Protest. Accordingly, when the North saw they had brought on an unexpected crisis, and that the South would bear the burden no longer, after long hesitation, they agree to meet the crisis with a show of fairness and justice,—trusting, meanwhile, (we judge them by the fair test of their after conduct,) that the South would either relent, or find themselves unequal to the task of independent existence. Disappointed, however, with regard to both—seeing the South go off with scarcely a thousand dissenters in all their bodies, and these a burden rather than gain to the North—witnessing the immediate decline of the Book Concern—the falling off of the subscription lists of their mammoth church organs, east and west—the fearful decrease of their members—the disreputation of the whole movement against the South—the firm establishment, high character, and growing numbers of the new organization—the vigor and efficiency with which it was conducted—the constant failure of all their efforts and attempts to injure and depress the South—the bad management of their *volunteer* leaders,—these disasters and such defeat, proved too much—everything could not be borne; the Plan of Separation must be destroyed; the funds pledged to the South held on to—even our *dividends*, which we held their obligation to pay, without change of the sixth

restriction, and whether we separated or not, must be kept in their coffers! The clamor of accusation, stormy debate and bold denunciation, distorted facts and perverted records—as we show in this Appeal—all this array of means and appliances must be resorted to, to put down the South, and re-exalt the hitherto dominant northern party. What the end of these shall be, remains to be seen. All the facts, however, (fruitful in inferences) at which we have glanced, go to show the wisdom of the choice we made, in the strait in which we found ourselves; and we are now, in view of every thing before us, not only deeply convinced of the necessity and fitness of separation, when it took place, but we have the full conviction that new reasons and causes have been increasing in weight and urgency ever since. We could not, as citizens of the South, have lived with any tolerable fraternity of feeling under the control of an Abolition and Anti-Slavery majority in General Conference, with a new code of ethics claiming enforcement every four years, and it is well we separated. We are more than satisfied with the result, and grateful to God that it took place when it did. We rejoice that we sustain to the Methodist Episcopal Church the relation we do, that of perfect independence; because we regard the entire conduct of the northern toward the southern Church as essentially faithless and dishonorable; and we are most happy not to be found in such company. We could not consent to bear any part of *such* a burden. Their abuse and defamation we can bear. Falsehood and misstatement we can repel and correct—as in this review of their conduct—and thus turn their weapons upon themselves; but we could not bear up under a well founded imputation of bad faith and want of honor, and so of

other offences, the proof of which we furnish in this Appeal. We are by no means unconscious of the strength of the language we employ. We know our charges are grave, and that the consequences must be so too. Still, we cannot retreat from our position; nor, with our present conceptions of things, can we admit that we have done the northern church injustice. We invite the most rigid scrutiny; and if it can be shown that we have misconceived the character and conduct of the church, north, as represented by its rulers—the General Conference—we shall be glad to know it. At present, however, our convictions are stronger than the language we use. It is our most deliberate judgment, that haste, hate, and passion, on the part of the leaders of the northern church, have covered it with shame and dishonor. Not that the great body, either of the ministry or people, are corrupt, but they have left themselves in the hands of men by whom they have been deceived, and, as we believe, dishonored.

Let the reader calmly re-look at some of the items to which we have called attention. The General Conference, for example, gravely charging the South with deception and fraud, in deciding on the necessity of separation, when it is affirmed no necessity existed, and that the right of judgment belonged to *them*, and not to those to whom they had expressly delegated it! Must it not be perceived, that a thousand denials can never weigh a feather against the incontestible fact, that the Plan itself not only directly constituted the southern Delegates a party, then and there actually negotiating a settlement of difficulties with the northern majority, but conceded to them, in turn, the sole right to decide the question of necessity. No man, it seems to us, understanding law or language, can resist the conclusion, that

the charge and assumption above are alike plain violations of the law and rights both of truth and justice.

Take the example of a plain direct legislative grant, in the Plan of Separation, to all ministers, from the mere licentiate up to the bishop, to "attach" themselves to the southern organization, should they prefer it, without any charge of "blame," and then, in every instance, where their own authoritative permission is acted upon, hastening to declare that the persons joining or adhering to the southern church, had "withdrawn," "left," "seceded," &c. We are compelled to regard such conduct, as a shameless violation of truth and honor. We see no way by, no ground on which we can avoid the conclusion. There is, to our conception, connected with such conduct a manifest combination of the mean and malignant, the low and the spiteful; and truth and self-respect compel us to characterize it accordingly.

The Episcopal executive administration, under the law of the Plan of Separation, and protected by it, authorized, as elswhere seen, the entire organic action of the south as a "distinct ecclesiastical establishment;" and yet the very men who issued the warrant of action, denounce conformity to it, as secession and apostacy, and the General Conference endorses the libel! They refuse to fraternize with the South, assigning as a reason that they had violated the Plan of Separation; although they themselves have all along claimed and avowed the right and duty of violating it as of no authority or force. In these directly antagonistic positions, they appear at the same time, and how they can claim to be honest in both, we leave others to decide. They refuse to recognize the South because of its slavery relations—as shown by *Stevens*, whose direct and fearless abolitionism they

wished to disguise but *dare not attack*—and yet the Baltimore Conference, *less excusably* connected with slavery, by their own showing in 1844, than any one of all the southern conferences, is nearly crushed to death in the bear-hug of their slavery-hating embrace! They officially avow a willingness to do something, they do not exactly know what, toward settling the property question, and yet, when they had it in their power to do us justice, by their own report, the Annual conferences "refused" to do it;—of course the intention was not to let us have our own, in accordance with their admission and pledge in 1844. They first admit our claim and propose payment; they then put it, by deliberate preconcerted action, out of their power to pay, and conclude by telling us how anxious they are to do what is right!

The plea of legal disability is urged by the very men who, by their own statement, voted on the question and decided they *would not pay*,—thus creating, by a special action of their own, the very impediment which they offer in excuse for not meeting their engagements to divide the funds with the South! The reader will not forget that the whole matter is in the hands of the travelling Preachers, who, in General Conference, talk handsomely and pledge fairly, while *the same men* in Annual conferences, both argue and vote against giving the South anything! We can furnish the names of individuals—a numerous list—who in General Conference vote *one* way, and, in Annual Conference, directly *opposite!* It was shown demonstratively by Dr. Durbin and others, that several Annual conferences evaded a direct vote on the measure proposed by the General Conference of 1844, and that, not voting in good faith on "the question," the General Conference of 1848 had no right to count their

votes. In this view of the subject, and we shall prove it to be the true one, *the whole body knew well* that the restriction had been removed, and that the only difficulty in the way of payment, was want of disposition; and in this way, by such action, the General Conference of 1848 has deliberately challenged the imputation of unworthy motive. Or if it be thrown upon the Annual conferences, the imputation holds equally with regard to them. Several of these avowedly made an issue of their own. They say they voted in the negative to prevent the South from separating. This, of course, was not voting on "the question;" the true question was to remove the restriction that justice might be done to the South. This they "refused" to do, and the charge of improper motive, if not fraudulent intention, remains in all its force. The design is too transparent to mislead any one. Had the direct, the fair, and the honest been intended, rather than the disguised robbery advocated by Finley, Tomlinson, and others, why all this wily complication of policy—such paltry hesitation and chaffering about the *how* and the *what* of action? Can the unfairness and injustice of these shifts and devices be accounted far apart from the claims and promptings of self-interest? In 1844 they pledge themselves to the South in a deed of settlement—what they themselves call a Plan of Separation, that is, the terms and conditions on which the parties were about to separate, and assume independence of each other—and in 1848 they impeach and deny all they had before affirmed and maintained, and signally avenge their own dullness by destroying the Plan itself!

We prove irresistibly, by their own statements, that the necessity of separation existed at the time of action; and show that all that they now say against it is but self-

contradiction. They now assume, it is true, that their former opinions and evidence are not worth a straw, but this does not remove the difficulty; for who can prove that their opinions and evidence now are of any more value than in 1844? We furnish their own invincibly conflicting statements, and leave upright minds to judge of the miserable humiliating discrepancy, in the best way they can.

The General Conference of 1848 declare that that of 1844 had no right or power to adopt the Plan of Separation, and quote the decision of the Annual conferences as conclusive in the case; whereas, in our jugdment, the action of the Annual conferences proves the contrary. Had it been the opinion of the Annual Conferences that the General Conference had no right to adopt the Plan, they would certainly not have acted upon the provisions of the Plan; but, by formal action upon the basis of the Plan, they have unequivocally admitted its authority, in direct conflict with the late assumption and action of the Pittsburg General Conference, and clearly showing that want of right has been an after-thought, and, as we believe, in search of an excuse to withhold the property of the South.

Again, the denial of power in the General Conference to divide the church is folly; for whatever may have been their right, or want of it, in point of fact, *they did divide* it. The proof is direct and precludes all doubt. 1st.—The Plan of Separation, as a General Conference act—having the official approval of more than *nine-tenths* of the whole body—declares the separation complete, "should the Annual conferences in the Slave-holding States find it necessary." These conferences, 2nd, did find it necessary, by a vote approaching to absolute unanimity, as

shown by the Report of the Committee on Organization, adopted with equal unanimity by the Louisville Convention, May, 1845. And it is further and equally true, 3rd, that the Convention proceeded, in due form, to complete "the Southern Organization" authorized by the General Conference of 1844. That body suspended division upon a single contingency; it is in proof that this contingency occurred, and occurred in the precise way and form conditioned by the Plan of Separation, and the result is, the General Conference of 1844 actually divided the Methodist E. Church.

There is one fact connected with this finding of necessity which greatly enhances the wrong of the Methodist E. Church in the premises. By their own contract the right of judgment first rested with the delegates alone, and to be determined *at the time* in New York. The latter had the right transferred to the Annual Conferences, and recommended that the people at large should be consulted, and this was done accordingly. By the Plan a simple majority of the travelling Preachers, constituting the annual conferences, had a right to decide the question; and no right to disturb the decision existed any where. We show, however, that instead of a simple majority of the travelling ministry, the whole body of that class of ministers, together with the entire mass of the Local ministry and membership, in the ratio of at least ninety-five in the hundred, went for division. Instead, therefore, of the finding the law required, we show that the whole church, with the exception of a minority less than could reasonably have been counted on by any one, favored the proposition to separate. The fact is, with all the machinery of church influence brought to bear upon the question for four years—a perpetual drumming up and din of arms—

with their funds, *and ours too*—the press—spies—missionaries, and so of the rest—they have been able to muster and enrol what number of malcontents? Take in all the Abolition and Anti-slavery *oases* in Virginia, Kentucky, Missouri and Arkansas, and what is the sum? "*Nearly* three thousand" is their answer. Less than three thousand men, women, and children—slaves, free negroes, and Indians—in a church numbering nearly half a million, is deemed a number so formidable as to go far towards justifying the bad faith of which we complain. Upon the character of these, as a body of dissentients, it is proper to remark, that while some are no doubt respectable, it is well known to those who have mustered them that others are not. At one of these *oases* the presiding genius, just before his conversion to Northernism, had been expelled the church for *lying and drunkenness.* At another, the leader had been expelled for *gross falsehood,* of which he was found guilty *on seven distinct counts;* and we have rare materials with regard to *other* sections for showing how miserably the northern church will find itself gulled, with regard to this *dissenting* interest in the South. The church and public have both been imposed upon by the action of the late General Conference, in reference to this matter, as we have shown is the case in relation to other matters; and the whole goes to show a course of action so directly wrong, or at best equivocal, as not only to throw doubt over their opinions, but even the facts they assume, and thus subject even their motives to suspicion.

FOURTH.—*We except to the course and conduct of the Northern Church, and charge unfairness and injustice, in relation to the proposed change of the sixth restrictive*

rule, and other items. The provision to change this rule, was believed by nearly all the southern delegates to be entirely unnecessary. The reasons are plain and obvious. 1st. The organization likely to take place in the South was fully and expressly authorized by the supreme authority of the church, and withal, as we have seen, declared to be "constitutional," and of course no change of the constitution could be necessary to legitimate it. It had nothing new or alien about it, except the mere facts of separation and independence. 2d. The change of the restriction related only to the division of funds owned in part by the separating conferences, as partners, and as the South wanted its own for the specific purposes intended and prescribed in the restriction itself, no change was at all necessary. The portion of the fund coming to the South was not to be diverted to any new purpose, but its proceeds appropriated in the strictest accordance with the intention of the restriction sought to be changed. The North, however, insisted on the change of the restriction, lest the Annual conferences might urge the restriction in bar to the division of the funds, and the South submitted. Several of the Annual conferences of the North, meeting soon after the session of the General Conference, voted for the change. The Northern Methodist press, however, with but few exceptions, commenced an early and bitter assault upon the measure, and upon the authority and action of the General Conference; and although these church papers had either submitted in silence, or advocated the Plan of Separation before, they suddenly became their own antipodes, and we had before us the spectacle of a grave church organ urging the defeat of the measure in question for the very reasons, and from the same motives, which a

month before had been as zealously and confidently assigned for its success! The result was, the Annual Conferences, North, under the influence of this revolutionary movement of the press, became excited and exasperated in relation to the South. The evils which to a great extent had been arrested and adjusted by the adoption of the Plan of Separation, were instantly returned upon the church by the mischievous interference and open rebellion of the press, trampling upon the law and authority of the General Conference. Revolution, wild and ungovernable, receiving impulse from a few disorganizing spirits, soon extended to every department of the church. The sense of justice so honorably manifested by the General Conference, gave way under the current assaults of abuse and declamation, and the measure—the change of the restriction—was finally reported *to be lost.* This report strengthened the hands of the revolutionary leaders, who proclaimed themselves sustained by the annual conferences in their assault upon the General Conference and the South, and the whole church, north, as represented by its press—at least the most prominent part of it—became an agitated sea, casting up the "mire and dirt" of ill-nature and abuse.

The reported result, however, with regard to the sixth restriction, we have gravely doubted, and have accordingly officially *challenged.* It is our belief that, however unintentionally, a most stupendous fraud has been practised upon the South in connection with it. It is, we have reason to believe, susceptible of legal proof, that four of the Annual conferences voted—some *contingently*, and others *evasively*, from *preconcertion* among their members, respectively; and in our judgment the *contingent* vote should, in every fair

construction of law and equity, be counted *for* the change; while the *evasive* vote should be indignantly *rejected,* as not having been given in *good faith.* The contingent vote was *against* change, unless the South actually separated, and if it did, *in favor* of it. The evasive vote was against the change, but with *no intention* to prevent the division of property with the South. These facts, it is true, may not appear upon the journals of the conferences, but can be sustained by the oaths of numerous respectable witnesses who were present and took part in the transactions. The most material points we assume in relation to this matter, are fully sustained by the statements of Drs. Durbin, Bond, and Kenneday, and others, recently at Pittsburgh. How far the language of one of these conferences may go to define the position of all we are not prepared to say, beyond the preceding statement:—

"*Resolved,* that the decision of this Conference at its last session, non-concurring in the proposed alteration of the sixth restriction, was not based upon *opposition* in the Conference to a fair and equitable division and distribution of the funds and property of the church, *as provided for* in the Plan of Separation to the Church South, but on other grounds *altogether.*

S. A. ROSZEL,
Sec'y Baltimore Annual Conference.

23*d March,* 1846."

The Philadelphia Conference voted in the same way, and we maintain that the vote of both should be rejected, as each voted upon an issue of its own, and not "*on the question*" as required by law, when its letter and spirit—its meaning as well as language—are taken into the account. Rejecting the votes of the Baltimore and Philadelphia Conferences, to say nothing of the other conferences alluded to, the restriction is removed, and no legal

difficulty in the way of settling with the South, according to contract. These views and facts were pressed upon the notice of the Northern Commissioners and Book agents of New York some two years ago, but the Commissioners declined action, and the Agents never replied to our communication at all. It is now, and was then, our opinion, that the Commissioners and Agents above, had legitimate power and right to proceed to action, and settle with the South. And how much better to have done so, than to adjourn the matter, as they did, to be mismanaged and mangled, by the *repudiating* majority of the late General Conference; and, without any reference to the conference, we shall hold them strictly responsible for the refusal to act as authorized. But if we grant that by a strict technical construction of mere terms, the change of the restriction has not been affected, how does this in any final sense affect or mend the matter. In our judgment it only makes it worse, and proves the truth of our main position. For the question arises, by whom was it defeated? By the very men, the travelling Preachers, north, who had the whole in their power, to divide or refuse, as they preferred. By the very men, we regret to say, who owe us the money. By the very men who *admitted* our claim and *promised* to pay it. By the very men who, owing us the money, deliberately, as we are told by the Pittsburgh General Conference itself, put it out of their power to be just and honest in its payment, according to contract. Finding that their proper constitutional agents, in General Conference, had committed them to payment upon the unquestionable claim of the South, they "make over their property" *to the many, to avoid individual responsibility.* They avow all "fairness and the strictest equity" in the Plan of Separation.

Time, circumstances, and manner invested the whole deed with the most intense interest. They solemnly declare they allowed us to depart "as brethren," *with our own* and "without blame." The work in which they were even then, it may be, prospectively engaged, did not perhaps admit of the "tears and prayers" sneeringly credited to the South; they avow the fair and the equitable, and then hasten with all possible dispatch to interpose a disability (by refusing to remove it when they had it in their power) to cover their retreat from the obligations of a plain contract, made by the very and only authority which has enacted every law in their statute-book since they had an existence, and by which they are absolutely governed in all their church relations! The South voted unanimously for the change of the restriction. The act refusing to change is *theirs alone*, and they alone are responsible for the wrong. If we take the published accounts of the *negative* vote of several of the annual conferences, we must believe they wished us, in the event of separation, to obtain our portion of the church funds, and did not intend to withhold it by the vote they gave. Church demagogues, connected with the press and the pulpit, either not understanding the subject themselves or intending to deceive, had made the impression extensively, that, should the restrictive rule not be changed, the whole Plan of Separation would be of no effect; and, thus impressed, multitudes voted as they would not have voted but for the manner in which they had been misled. Duped and deceived by those they trusted as leaders, they thought they were voting against separation, not a division of the church funds in the event of it.

This being so, it seems clear that by *intention* of the conferences, the real *animus* of their action, the change

was voted for by the required constitutional majority. The Plan required that the annual conferences should have action on the question at the first approaching session of each, after the 8th of June, 1844. The Maine Conference refused to do so, and of course, having *officially thrown away its vote*, as the northern Commissioners and Agents well know, had no right to vote subsequently. Church editors, however, having set on foot the project of defeating the object of the General Conference and the ends of justice, with regard to the South, the Maine Conference, anxious to participate in the wrong, as we regard it, and come in for part of the blame, resolved to vote at its next session!

We maintain, however, that the vote of the Maine Conference was debarred and vitiated by the refusal to vote at the time prescribed. It was evidently the intention to throw away the vote of the conference, and if not, for the other reason assigned, the vote should have been rejected. Rejecting the vote of Maine and counting that of Baltimore, as explained by resolution in 1846, the General Conference of Pittsburgh had all the authority they needed—all the right they asked for, to do justice to the South. To do justice to the South, however, as we are compelled to understand its action, was no part of the business of the Northern General Conference of 1848. No impartial observer can help perceiving, that the disposition and purpose, not to let us have our share of the church funds, are nearly universal in the northern ministry ruling and representing the church. We were personally assured by influential members of the late General Conference, that only about twenty in the whole body were really in favor of dividing the property with us; and their whole conduct goes to prove the

statement. The very men who voted for equitable division in the General and Annual Conferences of 1844 and 1845, have since, and are now doing all in their power to prevent it! Their names and the proof can be furnished at any time. They have written, spoken, and voted *for* and *against* the measure. They have advocated and denounced it—have done all in their power to defeat the measure of an equitable distribution, and yet have been noisy and clamorous about their sense of justice and willingness to do right. These capricious changes, shifts, and self-thwartings, have induced thousands to believe that the fair and the honest have not been intended. If such had been the intention, why all this indirection—such winding and reduplication? Is there no evidence in all this, of collusion and circumvention—no attempt at deception and evasion, with intention to compass unlawful ends, as it regards the claims of the South? We ask all concerned, has the question been fairly met and honorably grappled with, in the good faith of manly and upright negotiation? We think not. It is our opinion, that to the manifest discredit of the North, the deep and lasting injury of the South, affecting the means of usefulness, the whole question has been dodged, evaded, and trifled with. This opinion we know is not confined to the South. The dissatisfaction is rife and extended throughout the North—at least in important sections of it. The people are not with their rulers on the subject. Even large portions of the traveling ministry are dissatisfied. Multitudes in New York, Philadelphia, Baltimore, Washington City, Pittsburgh, Wheeling, Cincinnati, and other places, will know we do not speak unadvisedly; and the party most interested will not be long without more correct information on the subject.

This is not the language of menace. We do not mean to predict formal action of any kind on the part of the people, much less that they intend to make common cause with the South. This we do not expect, nor do we desire it. What we mean is, that their sense of right and justice has been outraged. They believe the great principles of moral equity have been violated—that gross injustice has been done the South. They regard themselves as misrepresented and slandered by their rulers, or rather, the demagogue-managers of church politics. They believe the church press has, to an alarming extent, been most iniquitously prostituted to the low and unworthy purposes of personal ambition and private revenge. In a word, they have lost confidence in the church politicians now in the ascendant in the northern church, and the result is, the influence of the ministry is reduced and crippled.

Be all this as it may, we at least intend to render ourselves intelligible beyond misception; and we accordingly distinctly charge, that the Methodist Episcopal Church is not only withholding our property, but doing so with the full and perfect knowledge, that the constitutional majority of all the members of all the annual conferences, *voting*, and having a *right* to vote "on the question," in view of the prescribed mode, *have declared themselves in favor of a division of the property with the South.* The numerical vote, as finally counted by the North, under protest from the South, stands *two thousand one hundred and thirty-five for the change proposed,* and *one thousand and sixty-seven against it.* Even in the northern conferences 1164 voted *for* the change against 1067 in opposition. It is well known that the Baltimore and Philadelphia Conferences, convinced of the error of their

first vote, have been anxious to reverse it; and, as the General Conference received and counted the vote of Maine, although *not in accordance* with the Plan of Separation—should the Baltimore and Philadelphia Conferences see proper at their next sessions to do what they have not yet done, as they themselves declare, that is, *vote "on the question,"*—with what claim to consistency could their action be disapproved? It would, in fact, be authorized by the General Conference. This done, the difficulty would be removed. No legal barrier could be plead by the repudiators, and they would not dare on any other ground to refuse payment to the South, as they would be immediately indicted at the bar of public opinion, as guilty of swindling without the disguises of apparent fair dealing. It is worthy of note, too, that the annual conferences did not sit in judgment upon the *claim* of the South; the claim was admitted and became a matter of formal *debt* in the Plan of Separation, and the annual conferences were merely called upon to remove the difficulty, which it was feared might be urged in bar to the contemplated mode of payment. The only right of the General Conference related to the mode of payment, and could not affect the rights of the South, or the obligations of the North, in a plain matter of claim and debt. And as, it is a primary principle in every constitution, that nothing in it shall be so construed *as to destroy the obligation of contracts*, when the annual conferences had withheld the desired facilities as to the mode of payment, it was the plain duty of the General Conference *to order payment*, under the protection of the constitution and high moral right, without reference to the annual conferences. This, we are satisfied, will be the verdict of enlightened public opinion. The fixed principles of

right and justice, the unyielding law of equity, cannot be supposed to yield to any construction of constitutional restraint going to defeat the great primary ends of all government. The bare supposition is folly; and the practice would deprive any government of claim to good character. Any attempt to resist or subvert moral principle by legislative enactments, must prove a dangerous experiment; for it shows, in the body attempting it, a sense of common justice too low and loose, not to excite distrust at once. The evidence we submit must, we think, convince every impartial observer, that the disposition to hold on to the property pledged to the South in the Plan of Separation, has been one of the moral features of the northern church for the last four years. It is very well known the elections for General Conference representatives turned upon this question almost exclusively, and that when they first came together at Pittsburgh, they were quite unanimous in the purpose to repudiate, and not pay the South. It was soon seen, however, that they could expect no mercy at the hands of public opinion, unless they at least seemed anxious to deal equitably with the South. Public feeling, long indignant, toward the latter part of the session becoming excited, was decided in the tone and language of condemnation. This state of things had its effect; and, after a long and doubtful struggle, by a majority of *four*, a *contingent* arbitration was agreed upon! They propose to arbitrate the question, and *then* ask permission of the annual conferences to do so? They destroy the Plan of Separation, declare all its provisions null—do the South all possible injury—expressly release the annual conferences and the whole church from any and all "obligation" in the premises—and then, with a fair prospect of final repudiation, they

are ready to arbitrate,—which arbitration may or may not receive the sanction of the annual conferences, and without which it is not worth a copper, according to their own showing! The value of such an arbitration may be further inferred from the declaration of the chairman of the "Committee on the state of the Church," who assured them, its reference to the annual conferences *again* was a "forlorn hope!" And this "forlorn hope" is really all that is offered the South by way of "amicable settlement."

The truth is, the whole movement (the details of which will be attended to in another place,) is but a repetition of the same kind of evasive, equivocal action, to which we have had occasion so frequently to advert. The very terms of the proposition show they could have expected nothing from it except *evasion* and *postponement.* It might enable them to hold on to our funds another four years, or until some other turn or shift could be made in view of placing themselves in a more eligible position. This view of the matter is the more probable from the fact that, apart from their own assumption that no arbitration would be valid without the consent of the annual conferences, the Southern Commissioners had informed them that they would submit to no arbitration on the *claim* of the South, although willing to arbitrate the *mode* and *terms* of settlement—indeed any question which might be viewed as *means* to secure the *end* stipulated in the Plan of Separation. We assured them that, while we had large discretion as to means and methods which might tend to accomplish the object in dispute between us, we had no authority to treat with them, or even to entertain a proposition from them, involving want of good faith in reference to the Plan of Separation, and our claim under it. All this was well understood. There was no

expectation in the body that the proposition to arbitrate would be accepted by the Commissioners, unless the subject-matter—the question to be arbitrated—should be confined to means and methods, and not re-open the question of claim as settled in the Plan.

The South, relying upon the pledged faith of the whole church before separation, had established an independent organization in the confident expectation that their share of the funds would be received. The pledge of the church not only bound them to the letter of the Plan, and the common law applicable in the case, but to the "*strictest* equity;" and having not only expunged the letter and disowned the common law construction, but officially declared, in utter contempt of their own solemn engagements, that there was no "equity" in the case—having been thus deceived and outraged, and obviously from the most deliberate preconcertion—it certainly could not have been expected that the Southern Commissioners would commit their church to the liability of being again deceived and over-reached by the same body. In what—in whom could we confide? We could not trust them personally, for as *individuals* they had changed and deceived us. We could not trust them as the *General Conference* of the church, for as such they had changed and deceived us. We could not trust them in their *Annual Conference* relations, for there they had changed and deceived us, by refusing to meet engagements they had entered into through their proper constitutional agents, whose right and power were of course exclusive, as the Annual conferences had *parted with it* in its *delegation* to the General Conference.

All this is sufficiently humiliating; and how is it to be accounted for? A single fact, as we believe, furnishes

the key of explanation. It is the result of *party spirit* and *party organization.* The men with whom we have to do belong to the great Northern Abolition and Anti-slavery party;—a party resolved on action and agitation, encroachment and innovation, without any redeeming regard or consideration for the rights of others. It is the business, the vocation, the only life of the party, to meddle with what does not belong to them, and intrude their dictation and management where no right authorizes their interference, and no motive, but that of self-interest and aggrandizement, explains their intermeddling. In this grave party movement, the politician, the demagogue, and the religionist all unite—the legislative hall, the hustings, the temples of worship, all become the means of influence. Of this great party the Northern Methodist Church is a section, represented by their rulers the traveling ministry. With this body, to the rancour of the northern political feeling on the subject of slavery, must be added the fierce exclusive zeal of religious opinion and prejudice. This zeal has been manifesting itself in various forms, hostile to the opinions and interests of the southern division of the church during the last sixty years; and has been gradually increasing with the party, both in volume and intensity, until it has finally driven the southern part of the church to resistance and independence. The South, however, proceeded with caution. We resisted only within constitutional limits. We became independent by a provisional arrangement which they themselves declared "constitutional." Their statute-book authorizes our whole action. Their own language, action, and authority became the vouchers of the legitimacy of southern action. This state of things on the part of the South early exasperated the party—even to madness.

They turned in and denounced themselves and one another, as unworthy of credit or confidence. Subordinate organs, the mere creatures of the General Conference, declare its acts of no validity,—it had transcended its powers, betrayed its trust, and must be compelled to undo all it had done. From this state of party excitement the impulse of revolution is given to the whole church; and the party leaders are driven to changes, shifts, and experiments, involving themselves in difficulties from which history can never extricate them, so far as consistency and right are concerned. This we believe to be the true state of the case.

The South, although a minority in the nation, has always had the advantage in this most unnatural and unreasonable struggle. The North have been able to accomplish nothing, except as an invasion and disturbance of right: the constitution of the United States, the laws of Congress, and decisions of the Supreme Court, as the supreme law of the land, all protect the South, so far as right is concerned.

The Methodists of the South, too, have been a law-abiding people. In the cases of both Harding and Bishop Andrew, in 1844, the law of the church and the law of the land had to be trodden under foot and placed at defiance before they could be reached. The South, too, rather than the North, are under the protection of the law and teachings of Christianity, so far as revelation may be appealed to. They have not propogated, or in any way taught to extend their views on the subject of slavery. A thousand abolition and anti-slavery associations in the North have never led to a single pro-slavery society in the South. The South has been silent, except as attacked. The only extension of slavery that has taken place, has been in resistance of northern meddling and

dictation. The South has made no appeal to history, philosophy, or religion in support of her national, jural, or moral rights, in this repect, except as such appeal has been provoked by the vandal invasions of northern cupidity and fanaticism. They regard the national sovereignty as made up of a confederation of state sovereignties under a common general compact, under and by the provisions of which each state has sovereign right to regulate its own affairs and domestic relations, except in so far as portions of its sovereignty have been conventionally transferred to the national government for strictly national purposes; and all the South asks is, that the old confederating States—those already in the union—be fairly and liberally protected in view of the rights and conditions of confederation, and that new states, admitted from time to time, be allowed the right of entering, as the constitution expressly guarantees, on the same principle and footing, with full and equal rights, privileges, and immunities. Any attempt at dictation on the part of the North variant from this, or in contravention of the right in question—such as exacting new terms or conditions of confederation—will, as it ought to be, be resisted by the South, as a usurpation not only in violation of the original compact, but liable and likely, at any time, to dissolve the confederation.

This view of the subject will not, of course, be so construed by the intelligent reader as to conflict with the special compact in those aspects in which it may not be superseded by the constitution, found in the celebrated ordinance of 1787, in relation to the establishment of the "Northwestern Territory," whose southern boundary is the Ohio and upper Mississippi rivers. Nor, on the other hand, will he attempt so to construe the ordinance in question, limited and restrained as it unquestionably is by the

constitution, as to conflict with the authoritative exposition it received in the memorable legislative compact between the free and slave-holding states in 1821, known as the "Missouri Compromise"—designated in the act itself as a "fundamental condition," upon which the adverse parties had mutually agreed to adjust their difficulties—prohibiting slavery in states and territories north of latitude 36° 30′, but permitting it south, should the *people so elect.* Any infraction of these great conventional adjustments should be resisted by either party, north or south; and no attempt can be made to disturb or subvert the arrangement in question, by either party, without the most shameful breach of public faith, pledged in both instances under stress of high national emergency.

These facts, with their necessary inferences, have been glanced at merely to show the true position of Southern Methodists, in their capacity of citizens, in relation to the subject of slavery. As southern citizens they have rights, under *original state sovereignty*, with which no citizen—not even the general government of the United States—can meddle without perfidy. They have rights under enactments of the national legislature, pursuant to the constitution. They have rights under the judicial decisions of the supreme court of the United States. They have rights under the Northwestern and Missouri compacts, to which we have called attention. They have constructive and yet undoubted rights connected with the "common defence" and "general welfare," and especially the "more perfect union" and "*dimestic* tranquility" pledged in the constitution; and without which, as we are assured by Hamilton, Madison, and all original witnesses, the southern states never would have confederated at all. And can it be expected that southern Methodists will

consent to have all these rights, thus secured to them, ruthlessly disregarded and trodden under foot without remonstrance or resistance? We regard the impertinence of any such expectation as only equalled by the insolence of the claim it involves; and, in our judgment, it is high time each party were better informed in relation to the position and purposes of the other. In view of any hopeful adjustment, the sooner this state of things shall reach the end to which it tends, the better for both parties.

Among the agents and instruments of this invasion of southern rights the Northern Methodist Church is now a most prominent engine. It is so mixed up with the whole machinery of abolition and anti-slavery agitation and invasion, by its recent proclamation of hostility to the South, in so many forms of bitter and malignant assault, that its own chosen colors will not allow us any longer to distinguish it from the common enemy. It has become a pander to political agitation. It is an *Abolition* church. It is arrayed against the laws and rights of twelve or thirteen sovereign states, which their creed, as well as civil obligations, binds them to respect and defer to. It avows the purpose of seeking to destroy institutions and interests over which they have no control, human or divine. They denounce, as utterly devilish—of purely infernal origin—what God himself *approved* in the patriarchal, expressly *authorized* in the Jewish, and has seen proper to *regulate*, without any intimation of moral obliquity, in the Christian church. They have no fixed principles or settled views. They are the victims of a mania, constantly involving them in contradiction and inconsistency. They denounce in the Methodist E. Church, South, what they practice and approve among themselves;—slavery is an abomination in the traveling ministry, but is allowed in the local ministry

and membership. They declare bishop and elder to be the same officer in the church of God, and yet allow one to hold slaves, and depose the other for even involuntary "connection with slavery." They rigidly practice upon one requirement of the church law on slavery, and pay no attention to a sterner exaction right by the side of it,—although moral principle must of necessity be the same in both. The firmness, consistency, moderation, and dignity of strong moral conviction—of fixed religious principle—are no where to be found among them; all is agitation, caprice, passion, and resentment. And hence the almost innumerable acts of injustice and outrage of which we complain, and furnish the proof, in relation to the Methodist E. Church, South.

It is unpleasant, painfully so, thus to charge injustice and want of fair dealing; but, assailed, banned, and ostracized, as we are by the church, north—charged as we are with "falsehood," "deception," "fraud," "insincerity," and the most lawless obliquity of motive—the only alternative resort left us, is to show, with the freedom and directness called for by the atrocity of the treatment we have received, at whose door these charges are destined to lay in the judgment of truth and history, and why it has been attempted to shift the responsibility from the real offenders, and fix it upon the injured party in the controversy. The truth is, as the discerning reader will be apt to perceive, want of justice and fair dealing, on the part of those who thus charge us, originally divided the church, and is every day reducing the glory and strength of its northern section. Where is the man acquainted with the whole subject and capable of the necessary induction of facts and particulars, causes and consequences, who can account for the diminution of the numbers in its

membership from 1844 to 1848, to the startling amount of 118,000, without connecting the fearful reverse with the subject matter of this Appeal? The result cannot be accounted for by citing us to the evils of controversy and the excited passions growing out of it. The South has had its full share of these evils, and yet the increase has, in the same length of time, been over 40,000. With double our population—nearly all the older fields of Methodism—with more than double the number of ministers—with all the funds of the church, *ours* as well as their own—how is this difference of 160,000 to be accounted for? Does it not connect with the fact that the strong public sense of deep injustice done the South in 1844, and since, has detached former public confidence from the northern ministry? Is it not seen and felt, that they have to a most fearful extent, as variously shown in this Appeal, sought a new vocation alien to the christian ministry?—that they are making staples of trifles—beacons of tapers—preaching what Christ never preached, and his apostle rebuked as contrary to "the doctrine of God our Saviour." Has it not been seen and felt, that the heart and pith of things are lost sight of in the merely incidental and circumstantial—that the inner man and immortality of our nature, with the higher interests they involve, have to give place to an adjustment by the church of political and social relations? The things of Cæsar are attended to, with the view and motive, it may be supposed, of ascertaining what is left for God! Other men's business is first attended to, that their own may receive attention at leisure. As preaching against the principles and forms of evil God has adjudged and denounced in his Word has not met their aspirations, why not let other forms of evil, overlooked by heaven, become the

object of attack? Evils spared by the denunciation of Christ, and left unrebuked by his apostles, the more imperiously require attention. Where heaven has given but one side of a question, or furnished but half the truth, why not give the other side and furnish the other half? If the common enemy cannot be resisted in the unbelief, impiety, and blasphemy—the deception, fraud, and falsehood—in the thousand organized forms of injustice, oppression, and wrong—the subjects of condemnation in the bible—let the trial extend to forms and subjects hitherto unassailed; and, although one of recent discovery, what form or subject of evil presents a more eligible point of attack than that of slavery!

We but give the language of their conduct. Failing as we have to resist the enemy at home, let the shame of defeat be lost sight of in the noise and bustle of experiment abroad. The very attempt will "hide a multitude of sins." It will readily be seen that the old antiquated laws of the bible have been submitted to until the progress of the age enabled us to make better. Let character and conscience be compurgated by the chrism of abolition abuse and the baptism of anti-slavery zeal; let there be no stint of cursing and railing; let these be the meaning and presage—the burden of the altar and ritual; let the God of humanity see our new-born zeal in this cause; let the hate of slavery be loved; let all luxuriate in this hate; let this hate preside at the sacrifice of the monster; let its voracious maw be filled to repletion, and its moloch nostrils sated with the incense of the orgies!—the gain and distinction are before us, but proceed cautiously; let the moment and circumstances of attack make it certain that the "blast of a single bugle will be worth a thousand men," or some reverse may spoil all, by showing that a single man is worth all the bugles of the clan!

Grave wrongs justify severity of feeling, and call for its true expression. We appeal to facts in the recent history of the Methodist E. Church. Have not law and order, and the ordinary stabilities and safeguards of government and administration, been gradually giving way and yielding to the ungoverned impulses and movements of passion, change, and experiment, for a series of years? The church north, unless we have misread the signs of the times, has been in a state of actual although informal revolution; and the past of every year has been but the harbinger of still greater mischiefs. There has been no subordination, no power of control in any of the departments. The General Conference—the supreme legislative council of the church—has not only been resisted and denounced by inferior tribunals and its own subalterns, but both have declared its acts "unconstitutional, null, and void." Its own officers, in the shape of editors, agents, &c., have questioned its immemorial rights, burlesqued its action, and set its authority at defiance. Accepting office under pledge of support and fidelity, they have lived upon its money and credit, and laughed it to scorn. Its bishops have but too plainly admitted their inability to administer the government, as established by law and usage;—interest, passion, and expediency have reduced their authority as executive officers to a shadow. Men of age, honor, and influence—the apostles of other days and better times—are laid aside;—it has been ascertained they needed rest! The aspirant and malcontent, the scribbler and declaimer—some without information and others without character, who had to become *distinguished* or cease to be *respectable*—suddenly thrown forward by the impulse of revolution, became leaders, and propounded their *ultimatum* to the church, north and south, with all the dignity

of plenipotentiaries. The usual course and natural order of things have been entirely inverted. Those who have thus had fitful sway in an attempt, without warrant of any kind, to force the church above its generation, have, as might have been expected, sunk it below. The church is controlled by a party, if not a faction; the self-adjusting power of the system is lost; the place and use of things have been disturbed—the vessel is drifting.

There is no want of examples to prove and illustrate our position. The whole and every part of the Plan of Separation has been, to all intents and purposes, a law of the church for the last four years. If this is denied, nothing is easier than to prove that the church never had a law; for it was enacted by the same body enacting all their laws, and with more formality and deliberation than any other that ever proceeded from it. It was recognized as such by all the bishops in their administration, and by nearly all the church, except ruling majorities of traveling Preachers, and the partizan cliques they have succeeded in enlisting in their cause. And how has it been treated by these—those who should have been its faithful administrators? Spurned and trampled upon by high and low, wise and vulgar, preacher and party, in undistinguished revolutionary confusion. No inconsistency has been too glaring—no absurdity too monstrous to be used against the South. In the same breath—the same communication or editorial—the North has been called upon, in the language of adjuration and strong appeal, not to regard the Plan of Separation, and the South not only abused and vilified for not holding it sacred, but for the alleged doing of what they had just *urged as a duty*, we are told it will be necessary to abolish the Plan altogether; and that all title to a division of church property, especi-

ally, is forfeited! By proceeding to nullify the Plan, they proclaim their own offence against right, truth, and history; for it is known to every one of them that, after discounting the whole southern vote, the Plan was adopted by a large majority; and yet they insist the whole should become our liability!

It has been avowed and repeated in a hundred different forms, that the Plan of Separation was only intended to quiet the South *in the church*, and not authorize or in any way admit the necessity of a separation from it, as the language of the Plan and all the debates have led all the world to believe. If there be any truth in this averment, it is an avowal of treachery, hypocrisy, and fraud, scarcely paralleled by any of the bolder villanies known to ecclesiastical history. And it becomes our duty to meet the question directly, and dispose of it by a proper appeal to the facts and history of the case. The late General Conference of the Northern Methodist Church have staked the reputation of the church, both for truth and justice, upon the validity of the plea, and have made it a principal ground of action in the whole of their proceedings against the South. If then we succeed, as we have perfect confidence we shall, in showing the utter groundlessness of the plea, and that there is not a particle of truth in the assumption, but that, on the contrary, it is a gross historical perversion, replete with injurious imputation—without reason, fact, or even a show of plausibility to sustain it,—the result must be obvious to the reader. The fact can be disguised from no one, that it is an issue involving to a great extent the merits of the controversy, and upon its determination will depend "the rise and fall of many" in our divided Israel. It is a direct issue; and by how far it is vital, should the North "rise," the

South must "fall," and *vice versa.* And now let us turn to the evidence.

The Protest, with the signatures of fifty-one southern delegates, and nine from the Philadelphia, New Jersey, Illinois, and Ohio Conferences, declares in language no one ever misunderstood: "If the minority have not entirely misunderstood the majority, the Abolition and Anti-slavery principles of the North will no longer allow them to submit to the law of the Discipline on the general subject of Slavery and Abolition; and if this be so—if the compromise law be either repealed or allowed to remain a dead letter (as in the cases of Harding and Andrew)—the South *cannot submit*, and *the absolute necessity of division is already dated.*" Again, the Protest declares: "The undersigned have looked to the great conservative law of Discipline on the subject of Slavery and Abolition, as the *only charter* of connexional union between the North and the South; and whenever this bond of connexion is rendered null and void, no matter in what form or by what means, they are compelled to regard the church as *already divided.*"

Language could not be more explicit; and it disproves in a manner the most direct and undeniable, the broad declaration of the late General Conference now under review. The language of the Declaration is: "The delegates of the conferences in the Slave-holding States take leave to *declare*, that the continued agitation of the subject of slavery and abolition, the frequent action on that subject in the General Conference, and especially the extra-judicial proceedings against Bishop Andrew, *must produce* a state of things in the South which renders a continuance of the jurisdiction of that General Conference over these conferences *inconsistent* with the success of the ministry

in the Slave-holding States." Here the form of declaration is absolute: "*must produce.*" In response to this, the General Conference says, in the Plan of Separation: "Whereas a Declaration has been presented, representing that, for various reasons enumerated, the objects and purposes of the christian ministry and church organization *cannot be* successfully accomplished by them, under the jurisdiction of *this* General Conference, as *now* constituted; and whereas, in the event of a *separation*—a contingency to which the Declaration asks attention, as *not improbable*,—we esteem it the duty of this General Conference to meet the contingency with christian kindness and the strictest equity," &c. This shows, beyond all possibility of evasion, that the only contingency alluded to was confidently *expected* to occur. The Reply to the Protest, which was ordered to form a part of the journal of the body, and thus becomes its own language, says: "The *proposition* for a peaceful *separation* (if any must take place) has already been *met* by the General Conference, and—*granted all* that the southern brethren themselves could ask in such an event."—Distinctly showing that *separation* had been both *expected* and *provided for.*

The Bishops, in their Address, as early as the 31st May, say, that "as they have pored over this subject with anxious thought by day and night, they have been more and more impressed with the *difficulties* connected therewith, and the *disastrous* results which, in their apprehension, are the almost *inevitable* consequences of present action on the question pending," (Bishop Andrew's case;) and add, that "they seek their justification in their strong desire to prevent *disunion*"—showing they expected *separation* if action was had. Bishop Hedding said, he believed the address of the Bishops "would not make

peace." Bishop Waugh said he had adopted it as "a *last* resort." Bishop Morris said, "he had done what he could do to preserve the *unity* of the body." Bishop Hamline said, "affirming them to be brethren, if they find they must *separate.*"

In the "Debates," published by authority of the General Conference, Dr. Olin says: "With regard to our southern brethren, I hold that if they *concede* what the northern brethren wish—if they concede that the holding of slaves is incompatible with holding their ministry—they may as well go to the Rocky Mountains as to their own sunny plains. I know the difficulties of the South. I know the excitement likely to prevail there. This may be the last time we may meet—I fear it—I fear it—I see *no way* of escape—our difficulties are stupendous, if not *insuperable.*" In allusion to the separation of the South, Dr. Olin said, "We lose our heart's blood." Dr. Bangs said that, from what had been told him by members from the north and the south, "*not a vestige of hope remained.*" All spoke of separation as necessary in view of what was then before them. Dr. Elliott said "*it was found necessary to separate*"—nothing *future* or *contingent* about it. He added, "it was not schism, but *separation* for *mutual* convenience and prosperity"—the North, of course, assenting. Dr. Winans stated, that should the Conference do what was proposed, they would create "an *uncontrollable necessity* that there should be a *disconnection*" of the parties; adding, "Will you *drive us* from the *connexion?*" Mr. Crandle said they were "standing on a volcano." Dr. Luckey thought it "better to *separate* than to have a continuation of strife;" and plead, as a precedent, our *separation* from the British connexion. Mr. Fillmore said, if their mutual fears proved well founded, they must "*divide*

into bands." Mr. Finley said "there was a *great gulf* between" the parties. He said the General Conference did, in the case of the Canada Conference, "*what they now* proposed to do to the South," that is, set them off as an independent church. Dr. L. Pierce said: "Pass this resolution, and all the southern states *are hurried into confusion;* and the brother that would lie down to be trampled upon by such an act of this body, would be regarded as unworthy the office he held. You may put what construction you please upon your acts and doings in this case, (Bishop Andrew's) but you have *passed the Rubicon.*" Dr. Smith said: "The South does not desire *division;* come when it may it shall be *forced* upon us." Mr. Stringfield said: "A *line* is to be drawn by this vote." Mr. Coleman declared, if Bishop Andrew was not laid aside, as proposed, "the *whole North* would become a magazine of gunpowder. You blow up the fortress from its foundations." Dr. Green said: "We have given up *all* that we *can* yield." Mr. J. T. Peck begged that the "great and intimidating *question of division* might be allowed to sleep a few days," at least until the true issue should be understood. Mr. Drake said: "Nor can this course be pursued and the *union* of the church preserved." P. Cartright contended, "they had no authority to *divide* the church." Mr. Griffith contended, that "Delegates sent for other purposes *had consented* to the *separation* of the great body of the Methodist E. Church." Mr. Collins submitted a proposition, "as a *last* effort to bring peace, and save the church from *division.* They were not prepared to throw out anything that would tend to heal *the breach.*" Mr. Porter said, "he did not believe they could *live as one body* with anything less than the substitute," (suspending Bishop Andrew.) "It was of *no use* to dis-

cuss the question further." Mr. Sandford opposed the Plan, "as tending to promote *separation*—opening the door and inviting them (the South) to *separate*." He said it was "an encouragement to *separation*." Dr. Bangs declared his conviction, that "the Conference *could not* come to any general *compromise* on the subject;" and added, "if they must *separate*, is it right to deprive the brethren of the South of their *just rights?*" Dr. Durbin affirmed: "Our rules have been made less and less stringent, and our language less and less severe, because *experience has shown it* to be *absolutely necessary*." Of such "concessions" he says: "Our fathers made them wisely on the *ground of necessity*." He declares "the Methodist church could not have *existed at all* in the south *without them*." He still hoped there would be "no *division*." Dr. G. F. Pierce said: "Whenever the day of *division* comes, and come I believe it *will*, from the *present* aspect of the case." He charged a "ruthless invasion of the constitutional *union* of the church." Mr. Comfort spoke of "*division*" as the subject of discussion, and said "it is urged that *division* will be the consequence." Dr. Winans said, "they had referred several resolutions to a committee relative to the *division* of the church. If they were *to part*, he desired to part in peace." Dr. Longstreet said, the action of the General Conference "must necessarily result in the *separation* of the North and the South." Bishop Hamline said the proposed division "could not be objected to on the ground of *constitutionality*." Dr. Peck spoke of the proposed separation as "a matter which would probably draw after it consequences which would be seen and felt by the *church*, and the *world*, for aught he knew, to the *end of time*." Mr. Fillmore said, all "the southern delegates who had spoken at all (it has

been seen how *all* spoke in the Declaration and Protest,) had declared it to be their honest conviction that the cause of God required *immediate* action." Mr. Crowder said: "The passage of that Report (the reply to the Protest,) would render *division* inevitable." Dr. Luckey spoke of the Plan as providing in an amicable way for the division of the church, and declared "if the *separation* were necessary, it ought to be amicably and *constitutionally* effected, and there was no intention of doing it *otherwise.*" Mr. Griffith, speaking of "interior charges" as named in the Plan, said, they were without choice, "if they wished to be members of the Methodist E. Church, *whether* it should be the *southern* or the *northern.*" Dr. Bangs, a member of the Committee of Nine, said: "They were *instructed* by the Conference *how* to act in the premises—they were to *provide for separation* if they could do so constitutionally. They had obeyed their instructions, and *met* the *constitutional* difficulty. The South *asked* a *separate* Conference, adapted to the institutions of *that portion* of the country." Dr. Elliott affirmed, that "the churches at Antioch, Alexandria and Jerusalem were as *distinct* as the Methodist E. Church *would* be if the suggested *separation* took place;—to this conclusion they *must* eventually come." Mr. Finley assumed the ground that there was "nothing *unconstitutional* in the Plan. He wished there was *middle* ground on which *both* could stand." Dr. Winans declared "the only proposition was, that they (the South) might have *liberty*, if necessary, to organize a *separate* conference; and it was *important* they should know at an *early* period that they had such liberty."

Bishop Soule, in connection with Finley's Resolution, stated: "Not a doubt remained with me, that the adoption

of the resolution would result in the *division* of the church." Dr. Olin said: "We meet as opponents here—opposite sides." He speaks of the state of things *then* existing as "*this division.*" He says, of the North, "they have taken their position,"—of the South, "they are *shut up* to their principles—the *people would not bear it.*" Dr. Olin subsequently declares: "The provisional Plan of the General Conference was *avowedly based on anticipated necessity expected to result* from the state of *public* sentiment at the South, and from the peculiar relations of the southern church to existing institutions. The only wish expressed or manifested was, that the two great *divisions* into which our Israel hereafter *must be organized,* should occupy positions the most favorable to the discharge of their high obligations to the world and its Saviour." The Doctor adds, in language which we commend to the notice of the future historian of these events, "I shall look upon the Methodist Episcopal Church *as forever dishonored*—I shall look for some *signal mark* of the *divine displeasure*, if, after sufficient time has elapsed to test the insufficiency of all plans of compromise, she shall *decline* to adjust on *equitable* terms, all the questions that *must* arise from the separate organization."

Dr. Paine, chairman of the memorable "Committee of Nine"—three from the North, three from the South, and three from the middle conferences—in explaining the objects and purposes of the Plan of Separation, as reported by them, and to which no member of the committee excepted, stated explicitly, that "they should remain *one people* still, until it was *formally announced* by A CONVENTION of the SOUTHERN *churches,* that they had *resolved* to ask an *organization,* in accordance with the *provisions* of the Report." Dr. Paine added, in further explanation,

that the South felt seriously apprehensive that the "necessity even now (then) existed." And after an announcement so direct, grave, and explicit as this, by the chairman acting as the organ of the committee, and having the endorsement of their public consent, as well as that of the whole body, with what claim to fairness, truth, or consistency is it assumed, charged, and published in the proceedings of the late Pittsburgh General Conference, that the purpose of a Southern Convention, with a view to a southern organization, was the treasonous scheme of southern delegates, *after* the adjournment of the General Conference!

The northern General Conference officially charge upon the southern delegates not only what we prove by their own records to be untrue, but they charge upon us, as criminal, what they themselves had *consented to* by their known official action. To what shifts must not men be reduced before they can resort to such means of aggression as these! It is true that Dr. Paine, and other delegates from the South, spoke of separation as a remedy it might not be necessary for us to demand. For the fact is, that up to the last day of the conference, we were not without faint and lingering hopes that something would be done by the northern party, in mitigation of the offence of their action, which the southern delegates might urge as a reason for further forbearance and delay in the South. Nor was this slight hope given up until the Reply to the Protest was reported to the conference, and adopted by being made a part of its journal. All hope of being able to satisfy the South was utterly destroyed by this reply; and we believe no southern man indulged any after its endorsement by the conference. The reply, by precluding all hope of reconciliation, ren-

dered the breach immortal, and fixed the responsibility of division unalterably where the Protest assumed it properly belonged. And it was in allusion to this fact—the new and startling fact—that all hope or prospect of a satisfactory adjustment or even modification of difficulties was at an end, that Dr. Smith closed the eventful debate by remarking, on the motion to *adopt* the Reply, that "that was what he wanted them to do; for it (the Reply) was what they believed; and he wanted them to sign their names to that paper, and let it go out before the world. They had attempted to gull the public long enough; and he wanted them to show their hands, and tell the 500,000 Methodists at the South what they intended to do."

The southern delegates, now believing—perfectly confident, indeed—that the South would not submit to the action of the conference, but everywhere demand a separate organization, such as had been provided for, resolved to meet the next day, and confer on the subject; and they did so in obedience to the judgment of the conference, who had agreed to leave the whole question in their hands, directly authorizing them to proceed to separation if they thought proper, without the delay of a day, or consultation with any one. Our warrant was: "Should the delegates from the annual conferences in the Slave-holding States find it necessary." We, it is true, having (in the judgment of the General Conference of 1848,) more good sense and virtue than the majority, *declined* the responsibility, as elsewhere shown, but certainly had a right to meet and consult with or without the consent of the other party; but as we met and acted only in accordance with a formal grant of right from them, although not accepted by us, we could hardly have expected to be charged with treason and rebellion for doing what they had given

us full permission to do;—for they certainly did not expect us to decide upon the question of "necessity," without coming together to confer about it, and, of course, gave us *full authority* to act as we did. All this noise and ado, therefore, about this meeting of southern delegates, brought to public notice with so much show and bluster in the late speeches and reports at Pittsburgh, will only convince the sensible reader how useful subterfuges may be, where facts and arguments were wanting!

There is one thing, however, connected with this charge which the reader may not be able to dispose of so readily. In the circular addressed to the South by the southern delegates, they ask attention to the great question of separation, as one calling for the deliberate reflection and action of the Southern Church, *as they* were to decide the question; and for doing this we are gravely arraigned by the northern General Conference, although this enlightened body knew very well, as we show beyond cavil or question, that the allusions to separation in the circular, are by no means as *direct* nor are they in any sense *half as strong*, as those made by northern men in the debates of the conference of 1844! All we said in the circular was directly authorized both by the Plan of Separation and the Debates; and this fact must of necessity involve the authors of the charge, that is, the Pittsburgh General Conference, in a dilemma of much graver import than simple folly. Why bring a charge against us, with a view to our injury by the withholdment of important rights, which it must have been seen and felt would much more directly and justly lie against themselves?

Let the reader look back to the evidence we have just submitted, and he will at once feel the force of our reason-

ing, and see the difficulty in which it involves the adverse party. We take pleasure in admitting, that up to the last day of the conference, 10th of June, 1844, many of the southern delegates expressed the hope that something would yet occur to prevent *final separation.* We have seen, however, that the Reply to the Protest rudely closed all hope of compromise, and utterly destroyed the only remaining grounds on which the South had relied for healing the breach. The Protest had given the majority *full official notice* that if they persisted in their course, division would be the unavoidable result; and in their Reply, they re-assert, as their *ultimatum*, all their most offensive positions, and avow their determination to carry them out in action. This settled the matter. After this no southern man, we believe, intimated to any one or in any form, even the probability of continued union; for we had publicly pledged ourselves in behalf of the southern church and southern interests, as we have shown the reader, not to submit to the course and policy against which we had protested, should they be persisted in. Why, then, the studied affectation of surprise so carefully and adroitly courting attention in the debates and reports of the late General Conference, that the southern delegates should think of separation before leaving New York!

There is, too, in these debates and reports, and has been in northern church papers, an effort, staid and special, to make the impression that they had left the question of necessity to be judged by the people; and this attempt at imposition calls for proper exposure. The impression attempted to be made is, that *they* and the *people* have been wronged by the southern delegates; whereas, the truth is, they did not intend—had no idea of referring the question to the people at all. They made no move

or suggestion to this effect. They left it to the southern delegates; and it was only at our instance the annual conferences were substituted in our stead. The southern delegates alone brought the question before the people without the knowledge or concurrence of the northern majority; and the constant attempt to make a contrary impression ranks among the many startling inconsistencies and false issues we are called upon to expose in this Appeal.

These mis-statements, however, have not satisfied our assailants; they have labored long and hard, in various forms, to make the impression that as far as the people have been consulted, they have failed to sustain the preliminary action of the southern delegates, and are dissatisfied with the new organization. The proof they offer is, that a fractional minority of less than three thousand, found here and there in "various parts" of several different States, have decided the question in opposition to five hundred thousand opposed to them, and in favor of the division of the church!

All the facts and evidence having reference to the related topics now under discussion go to show, that the assumptions and action of the northern General Conference, with regard to them, are utterly unworthy of credit or confidence. We have submitted a mass of historical evidence, endorsed by our accusers as correct, the irresistable effect of which must be to convince every grade of intelligence in the country, that instead of no thought or idea of a regular authorized separation in view of what had *already taken place*, and embracing nearly all the material implications of the final fact as it actually occurred, it is almost literally true that nothing else was thought of; it was the one all engrossing topic with both parties—

was spoken of by both in the same terms and with equal freedom, as we have seen; and no denial—no expression of doubt or suggestion of suspicion, from whatever quarter, can in any degree either evade or weaken the evidence. We yield consent because it is out of our power to withhold it. We prove the charge to be false and unfounded, in any and every shape in which it has ever been brought against us. And with this unsupported charge must fall that of hasty and unauthorized action on the part of the southern delegates; and we have, at the same time, seen how utterly without foundation is that in relation to the decision of the people. And so far from pleading guilty in whole or in part to either or any of the charges, we prove that separation was so strongly expected as to be formally provided for; that the action of the delegates was in strict accordance with General Conference provision, and that some nine hundred and ninety in every thousand of the people approved the course pursued by their representatives.

It will be seen, at nearly every step in this argument, that the logic of our northern friends is in keeping with their facts. After four years crusading in the manner already described, they have found in the South "nearly three thousand" disaffected persons, counting children, negroes, and Indians; *therefore*, the people are not with the southern preachers on the subject of division! Well, it so happens that we have twice or thrice that number, North, who think and act with us as a church, *ergo*, the people of the North are against their rulers and leaders in the opposition urged by the latter against the South! If the logic is good for anything in the one case, it is equally so in the other, and of course cannot be objected to. If one in the hundred may represent the church, South,

why not North? Honest minds will not be able to perceive any difference. What must be thought of men who will apply such a principle and avail themselves of such a test of judgment, with regard to us, but reject it in its application to themselves?

It is to be feared that but too many of our oppugners have, upon this whole subject, thought by proxy; and have lacked leisure or disposition, perhaps both, to review their opinions. The arrogance and oracularity with which many of the leaders of the Northern Methodist Church have attempted to bully and badger the South out of their rights, both of property and character, have doubtless had their effect on many, who have rested in the conclusions *thus* furnished them, without being able to assign any reasons for them, other than their accordance with passion and interest. The Northern Church, therefore, instead of fixing upon us the charges to which we are replying, have compelled us to perform the unpleasant task of making them recoil upon themselves. We exhibit facts utterly destructive of their statements. We show by their own witnesses that they have added deception and duplicity to the denial of right; that they have denied their own language, statements, pledges, and acts; that it has been done where misconception appears impossible, and will, we are inclined to think, be generally so regarded. We have shown, at least, that facts and history, in direct contradiction of their averments, and literally piled up in bar to their action, were staring them in the face at every step. Nothing of the kind, it occurs to us, can be made plainer than that the disposition was rife and prevalent, and the purpose nearly universal, on the part of the northern leaders of the war upon the South, before the meeting of the recent General Conference, to

denounce and undo, despite any and everything that might oppose, all that had been done in 1844, in view of the organization so fully authorized and elaborately provided for in the South. This was the one great purpose with which the body came together. And such were the impulsive haste and mad effrontery with which it was acted upon, that, disregarding the claims of truth, justice, and consistency, they proceeded to even the last stage of fatuity in the selection of means to accomplish the unworthy purpose steadily operating as the spring of action. The very unanimity with which they did everything relating to the South—except in the single matter of paying a debt they had admitted and promised to pay four years before—increases the difficulty, by widening the ground of suspicion. Such a perfectly *dead level* of opinion and feeling looks too much like design and preconcertion. When the South was to be assailed, struck at, or plotted against, all *went in* to speed *the going*. A few, it is true, seemed ashamed to take part in the *doing*, but nevertheless appeared glad when it was *done*. No man on the spot, with the means of information we possessed, could mistake the feeling of common joy, while for days together the South was exhibited *in pillory* in this grand bazaar of abolition and anti-slavery.

Let the reader turn to the Debates, and although time or something else has had a most improving effect upon them since delivery, let him look at the charges preferred and the language held in relation to the South—the abuse and badinage, the dull dogmatism and noisy ignorance, relished and *encored* with so much gusto—and he will be the better able to appreciate the convictions and feelings with which we have been driven to the only mode of defence left us. There, and at the time, no opportunity

was allowed the South to be heard in her own cause. The accusers of the South were her sole judges; the whole proceeding was manifestly *exparte*. The accused were not admitted even to the bar of the house. The judges were their own witnesses. Those bringing the charges against us became our triers, and sat in judgment upon imputations we had denied and pronounced false. The authorized representatives of the South were not even admitted to a seat in the body, except as common and evidently unwelcome spectators. The "familiars of the holy office" used the rack with the freedom of their calling, but did not think it worth while, or perhaps thought it best not, to *question* us upon it; and this was no doubt deemed the more unnecessary, as they had among them southern "fugitives" both from "labor and *justice*," who were found as convenient in the shape of witnesses as they proved to be useful in their character of judges. Parts of the work to be done, at least, required special adaptation on the part of the tools; and the body seems to have been signally fortunate in having them at hand. Some other items of evidence and illustration will be brought to bear upon this part of our Appeal, but we prefer to introduce them in another place. On the general topic we are now dismissing, we cannot doubt we have submitted evidence, ample and irrefutable in amount and character, to demonstrate to all unprejudiced minds, that it has been the studied purpose of the northern party for nearly four years—since the proposition first assumed shape and consistency in the "Christian Advocate and Journal"—to deprive the South of all the rights secured to them under the Plan of Separation, and to violate and disown all the plain and solemn covenant engagements entered into with the South, under the formalities and sanctions of that instrument.

FIFTH.—*We charge the Methodist E. Church, North, with grave and deliberate wrong, in the constant effort to make the impression that her course, in view of church law, is a consistent one throughout on the subject of Slavery, while the church, South, is guilty of an entire derelict change in this respect.* In the South things remain on the subject of slavery precisely as they were prior to 1844, both as it regards law and practice. No change has taken place with regard to either; and this is well known to the adverse party. The change is on the other side—is with them; and because we refused to submit to the innovation, and allow them to trample upon law and right as their caprice and fanaticism might dictate, we have fallen under the sore displeasure of these reformers of our old christianity and the former order of things. This is the real *gravamen* of all their accusations against the South, as we intend to show beyond all feasible question. We are not good Methodists because we refused to "fraternize" with the northern branch of the church, in its abolition and anti-slavery *mongering*, in violation of southern rights. This, as Stevens avowed and proved, and the late General Conference admitted by tamely cowering to the declaration and proof, was the real, and in every controlling sense, the "only difficulty." If not, when the case came up upon formal challenge, why was not the contrary made to appear? Then was the time—there the evidence—everything in waiting. The issue was direct—the question vital—and yea or nay, by the body, the only possible answer. And what was the result. It is well known. The standard-bearer of the Abolition party triumphed. The conference succumbed; and, gratefully receiving *the brand* of their *new leader*, bore him in triumph to the editorial chair of Dr. Bond. All this

is perfectly intelligible. No explanation could make it plainer; and the General Conference was thus *driven to admit its true Abolition position*, although it might have been unwilling to assume or define it in more direct form.

When Baltimore *conservatism* became alarmed at the *progeny* of its *own incubation*, and threatened a new church paper, &c. &c., it was an admirable stroke of policy, in the system of Abolition tactics, for Stevens to resign, with a view of making still farther and perhaps more effective use of "glorious old Baltimore." This has since been publicly avowed in the Abolition organ—Zion's Heralds—in the language of defiance; and the threat will be redeemed to the letter. The Baltimore Conference originally brought on the struggle when she might have prevented it, and is fearfully responsible at the bar of public opinion for all its issues. The prospect now is, that no unimportant part of the war she provoked is destined to come off upon her own fair fields.

But to return. There is not a state within the limits of the southern organization that allows the emancipation of slaves, with right of enjoying freedom in the state—as expressly conditioned by the law of the Discipline, as explained and enforced by General Conference authority; and, of course, emancipation is not required even by northern Methodist law, either of the ministry or membership. And it only remains for the church, south, to see, with becoming care and solicitude, that masters and slaves in the church conduct themselves in conformity with the obligations of the bible and their christian profession. It is all we can do, and all we have a right to do as a church. It is all heaven requires of us —having given direct and full instruction on the subject; and if more is required of us by unreasonable men, it be-

comes our duty to resist them. In the northern church, however, it is very different; no such justification can be offered. The General Conference of 1844 *officially decided,* by its aotien in thc case of Harding—and their official organ announced it to the church and the world as correct—that in the State of Maryland emancipation was not only practicable but that it comes fully and properly under the requirement of the Discipline; and indeed, unless such was their conviction, their whole procedure in the case of Harding must have been a dishonest movement from first to last. All this is directly assumed with regard to the laws of Maryland; and yet with this construction by their highest court, no attempt has been made to relieve the northern church of the avoidable evil, and of course, according to their logic, the curse of slaveholding in the Baltimore Conference. But men in various official stations both in the ministry and membership, with some interesting "cases of conscience" in the traveling connection, are permitted, even by an Abolition General Conference, to hold slaves in violation of Methodist law; for they themselves have declared, in advance, that the laws of the state admit of emancipation in accordance with the laws of the church. And after such an exhibition of utter faithlessness to avowed principles—such an absurd self-contradictory abandonment of all and every part of the ground on which they affect to reject the South—such dishonor put upon the most solemn official pledges and declarations—what must be thought of the conduct we arraign? For it turns out at last, after all the denunciation of the press and babble of debate, that the Methodist E. Church, North, is by her own law and action *criminally* connected with slavery, while, by the *same* law, the church south is not! The clear and unequivocal proof

of all this is furnished by their own records and publications. Take the case of Dr. Pierce, the representative of the South deputed to bear the tender of christian salutation to the Northern General Conference, rejected with scorn too bitter even to be civil, because accredited from a slave-holding church, when every member of that conference knew perfectly well that the law of his *own* church protected the South from blame, but covered the North with sin and shame—if their own ethics and declarations can be regarded as reliable, or having any meaning. What good can possibly, or rather what evil must not result from such a course of shameless deception and double-dealing.

The many startling inconsistencies, absurdities, and self-contradictions distinguishing the course and action of the northern party since 1844, cannot fail strongly to impress their true character upon that exchange and intercommunity of thought, conviction, and feeling, in every part of the country, known as *Public Opinion;* and toward which we cherish too much respectful deference not to appeal against the mis-statement of plain stubborn facts and historical verities, open to be known and read of all men. More than fifty members of the northern majority in 1844, voting for the Plan of Separation, and sustaining it as just, constitutional, and expedient, soon after suddenly reverse their position and reject it as having no one of these characteristics! Annual Conferences vote for the change of the restriction, and almost immediately after declare themselves wrong, as well as the General Conference, and grieve that they have not a chance to reverse their action! Opinions and convictions avowed and published in 1844 are, by the same lips and pens, declared to be absurd and ridiculous in 1848!

Dr. Elliott vehemently advocates the Plan of Separation at the time of its adoption, as both scriptural and divinely directed, and three months after insists it must be destroyed, as being neither, but utterly offensive to the good sense and virtue of the whole church, north! Mr. Finley, supporting the adoption of the Plan, affirms that between the North and the South a "great gulf" exists, precluding all hope of their occupying common ground. Not long before, he wrote, "I am a *southern* man in feeling and sentiment, and cannot and will not go with the Yankees in their *divisive* measures. I very much prefer *southern* Methodism, with all their slavery, to the Methodist *politics* of the North, in their *revolutionary* schemes," and yet roundly denies, in his Pittsburgh speeches, that *either was ever* true of himself! Dr. Tomlinson endorses the entire action of the Kentucky Conference in the autumn of 1844, on the subject of the division of the church; votes a resolution of thanks to the Kentucky delegates, for their defence of southern rights in the General Conference; deliberately pens the following resolution, and advocates its adoption by the Conference: "Resolved, that unless we can be assured that the *rights* of our ministry and membership can be *effectually secured* according to Discipline against *future aggressions*, and *reparation* be made for *past injuries*, we shall deem the contemplated division *unavoidable*;" and, notwithstanding all this, employed his logic and eloquence at the late General Conference, and we believe by no means unsuccessfully, to prove that the import and purpose of his own resolution could only have originated in the bosom of some villain, traitor to the honor and interests of the church! These are but specimens—sufficiently humiliating, it is true, but such it seems is the "tribute-money apostacy has to pay to party."

But gravely how, we ask, are these and kindred absurd movements to be explained and accounted for? Can it be done upon the ordinary principles of straightforward correct action? With all our faith in sudden conversions are there not in these, and all similar cases, staggering improbabilities—difficult to be disposed of, if not indeed "past finding out"?

We have already said, and we take pleasure in repeating, that our charges and animadversions by no means extend to all the church, north. We know many noble and every-way worthy exceptions. These exceptions are found, some in the traveling connection, a greater proportion in the local ministry, and still greater in the membership. When, therefore, we speak of the church in this and similar connections, we mean only the church as represented by the majority of its rulers, constituting the administration, as now disturbed and disordered. We know a large (and we believe constantly increasing) portion of the church have little or no sympathy with the conduct we have felt it our duty, under the compulsion of imperious circumstances, thus plainly to review.

By this time, although much remains to be said, the reader is beginning to have a tolerable idea of the wrongs of which we complain; and must ask himself, as we ask him, whether it can be that they are without redress—that in enlightened public opinion no avengement of them awaits their infliction? We look forward to the issue, whatever it may be, calmly and firmly. That we feel the resentment and indignation natural—not to say unavoidable—under the circumstances of the treatment we have received, we readily admit, without any wish to conceal either our opinions or feelings. It has been our purpose to make both known with explicit freedom. We

wish to be perfectly understood by all. We shall, probably, be thought severe; but have we not dealt in facts, and strictly confined ourselves to their necessary relations and inferences? Let the evidence and the reasoning we submit be well weighed, and then let the impartial reader say whether we have done more than call things by their proper names. This it has been our intention to do. We respect ourselves, and do not fear our enemies. Let them rejoice over the destruction of the Plan of Separation. Let them glory in not having kept good faith with us. Let it be seen how they pledged themselves in formal contract, and, when we claim the rights thus vested, how we are shown the *reverse* of the medal, with a denial not only of our claims but of the contract itself. Let them show that what they acknowledged as *debt*, and offered us as an expressly *conditioned* consideration, and without which we should have declined the contract altogether, is refused us, or at least is to be offered, if at all, in a form and upon conditions mocking our rights and necessities, because it is known we cannot accept. Let it be known that our claims have been defeated by the restriction ruse and other means—that we have been vanquished, not by truth and fair dealing, but by evasion and subterfuge. We had the written pledge, it is true, but unfortunately have not yet been able to encounter the meaning of those who gave it;—with some it was one thing, with others another. The same persons of the contracting party, north, made it one thing to-day and another to-morrow. With some the Plan of Separation has been nullified by a power inferior to the one enacting it, and with others it has been—as every act of all preceding General Conferences may, in the same way, be declared to be—a nullity from the beginning. All is con-

fusion, conjecture, and indecision. The only principle of unity among them, as it regards their contract with the South, seems to be an impatient anxiety to avoid the obligation or rather necessity of payment.

We think we have shown, in the light of the clearest and most demonstrative evidence, that the adverse party have in instances almost innumerable denied the obvious meaning, distorted the plainest language, and misrepresented the unquestionable provisions of the Plan of Separation. It has been shown, too, that this has been done under an unlikelihood of circumstances, and with a generality and sameness of ostensible reason, ground, and motive, the almost necessary effect of which is, to subject the whole movement to the suspicion of premeditated unfairness. Or, reasoning upon the assumption of some, that the General Conference of 1844 failed to express its real meaning, and that the Plan as a whole is by no means clear and intelligible in its sense and import, as an instrument of agreement between the parties, how does it happen, we ask, that the South alone is bound by the incapacity of the General Conference of 1844; and that all the advantages, and none of the disadvantages, inure to the North? And to all this must be added the grounds and reasons the South had for distrust and want of confidence, connected with the fact that their *annual dividends, pledged in the contract without condition*, have been withheld without any plea of legal disability or want of right to pay.

The contract says, speaking of the pledged division of the capital stock: "And until the payments are *made*, the southern church *shall share* in *all the net profits* of the Book Concern." Our dividends, pledged in the same way, from the Chartered Fund have been withheld in like manner. And to complete the outrage offered the

South in this respect, the northern Agents have been closely collecting every dollar due the Book Concern from the South for the purchase of books of which we were joint owners with themselves. With the *third of a million* of our money and property in their hands, and evidently intending to hold on to it, if it can be done without public disgrace, and withholding all our dividends both from the Book Concern and Chartered Fund, they are unwilling to leave in our hands even a few thousand dollars of *what they owe us!*

We have alluded to a coalition—a party combination—early after the General Conference of 1844, to assail the right and authority of the General Conference, and utterly destroy the Plan of Separation. On this subject the reader is already in possession of many concurring proofs; and suppose that, in addition, it shall be made appear that about midsummer, 1844, a church editor, west, who up to this date had been zealously defending the Plan of Separation, received notice from New York, in substance, that it had been determined upon to destroy the Plan and crush the South as a "secession," and that he must assist and "be in at the death," or be overthrown with the South for refusing to join in the crusade;—suppose it can be shown that, after a little hesitation and delay, Cincinnati said to New York, "*Bellum hoc!*" and "*Hoc bellum!*" returned from New York to Cincinnati, closed the contract. If an item of this kind should happen to be in proof hereafter, connected with the "secret service" of the ruling party, north, will it or not throw any light upon the subject to which it relates? We allude to what is reported in relation to this item, not to rely upon it in any way, but merely to show how singularly coincident it is with other facts connected with the same subject, about which there can be no doubt.

SIXTH.—*We* EXCEPT *to the course and action of the Church, North, on the Boundary Question, and especially the action avowedly had in view of the Southern construction of the question, and Southern practice in conformity with such construction.* That there should be a difference of opinion upon this subject is natural, and can surprise no one. The language of the Plan is by no means full, and in some respects it is inexplicit. There is, in fact, no specification of any boundary at all. The language of the law is such as not to admit either *state* lines or the old *conference* lines, as constituting the boundary proper between the two churches. It must be perfectly obvious to every one who examines the law, that the old lines are *taken up* without *putting down* new ones, except as contingent and moveable. If this had not been so, any mention of a northern boundary for the southern church would have been entirely superfluous,—as the specification of the conferences must have settled their "northern" as well as southern boundary; all their metes and bounds being definitively laid down, by pre-existing law, in the Discipline.

The fair and necessary conclusion from the language of the Plan is, that the northern lines of the southern conferences—and, of course, southern lines of the northern—were to constitute the mere *basis* of a boundary, to be subsequently settled, irrespective of fixed territorial limits; which moveable or contingent boundary, for it was evidently nothing more, was to remain subject to change and variation, without specific limitation of any kind, until finally settled by *actual* "adherence," north and south, of "conferences, societies, and stations," as required in the Plan of Separation; and the only boundary, and the law applicable to it, are made, in the last resort, to depend

upon such election and adherence. It follows of necessity that there was and could be no established line, nor was any intended or contemplated, except as agreed upon along the nominal border, by adherence north on one side and south on the other, when, and not before, the line was to be considered as settled. According to the plain language and meaning of the law, if at any point on the southern side there was no adherence, then, at that point no settled border line was found, and the North was not interdicted from the exercise of "pastoral care;" and at any point on the northern side where adherence was refused, or had not taken place, no interdict rested upon the South; for by non-adherence, contrary to law, the ground became neutral and was common to both churches. The line was left moveable, and there being *no limit as to time* barring the right of adherence, no other than a moveable character could be given to it, except by adherence on *both sides*, as above, or subsequent conventional arrangement by the original parties to the agreement; and hence the great likelihood of difficulty.

The same general view—certainly nothing more explicit—nothing materially variant from this, seems to have been taken by the Bishops, in council in New York, in 1845. They say simply, "those societies bordering on the line of division;" and prescribe the *mode of adherence* north or south. The law requiring adherence on *both* sides the line (unsettled and moveable by the very terms of the requisition) is *peremptory:* "the following rules *shall* be observed," and then the requirement is specified as binding on *both* sides the line. No evasion or construction can release either party; they are equally and *absolutely bound* by plain direction of law.

The southern delegates very generally, at the time the

plan was adopted, contended in committee and privately for a *fixed* line as every way preferable, but could not obtain it. The majority insisted on a moveable one. Dr. Bond specially interposed to prevent it, urging the difficulties of an unsettled boundary; but it was of no use—they would not accept either *state* or *conference* lines. The motive was obvious. It was supposed a division of the church would not be acceptable to the people, and that large numbers would adhere north. We were a minority and had to submit. We have always regretted the arrangement.

To get at the question of "infraction" by either of the parties to the compact, it is necessary, *first, to notice the important unmistakable fact, that, according to the Plan, no border "conference, society, or station" was under the "pastoral oversight" of either church until after formal adherence by vote of a majority, according to law.* The border portions of the church on either side were left *to fix their own membership* by vote of a majority north or south; and until they did this, they did not, by the law, belong to either church. Nor was it supposed that this could be regarded as any infringement of church right. It was certainly presumed that the border "conferences, societies, and stations" would have their preferences, and be early able to choose between the two churches; and it certainly was a very small matter to settle the question as directed, by *popular vote*, when, in either church, they would immediately come into possession of all the rights and privileges possessed before in the undivided church; and until they did this the Plan plainly contemplates them as not under the control of either church. The law is too plain to admit of cavil. If Northern Methodist Preachers have not understood it, we believe all others will:

"*All the societies, stations, and conferences adhering to* THE CHURCH *in the South, by a vote of a majority of the members of said societies, stations, and conferences,* SHALL REMAIN *under the* UNMOLESTED *pastoral care of the Southern Church;—it being understood, that the ministry of the South reciprocally observe the same rule in relation to stations, societies, and conferences adhering by vote of a majority to the Methodist Episcopal Church.*"

And again:

"*This rule shall apply only to societies, stations, and conferences bordering on the line of division, and not to interior charges, which shall, in all cases, be left to the care of that church within whose territory they are situated.*"

From the language of this law the good sense of the reader will fix upon two conclusions as inevitable deductions. 1st. Neither church, by the Plan, has any control over the border portions of the church, except upon the ground, and in virtue of "adherence," as prescribed. And, 2nd, until such adherence, these border portions were considered as territory not belonging to either party, but common to both, so far as the law is concerned. The language of the law respecting "interior charges ..... within *whose* territory they are situated," was clearly intended to show that the border sections were in an entirely different category from the other territory defined in the Plan, and could only become the property of either by adherence. The border territory, therefore, after the enactment of the law, and before adherence, constituted neutral common ground, the occupancy of which *could not* be a trespass by either party. No conference, society, or station, not having adhered as the law required, could possibly, without the most preposterous absurdity, claim the protection of the law. Such non-adhering par-

ties had no claim upon either church, because by law they did not belong to either. So far as the law is concerned, by finally refusing to adhere, north or south, they became a *secession.* Trespass, therefore, upon such ground, was impossible; and to charge it is as unmeaning as it is absurd. It is to charge what law debars, and the nature of the case precludes. We maintain, therefore, and have full confidence in our ability to establish it before any tribunal that may ever have cognizance of it, that the charge of trespass against the South within the limits of the Ohio or any other "conference," or in connection with any "society" or "station" which had not "adhered" north, according to law, involves all the injustice and blame of "false accusation," without even decent excuse for the injury,—as the law is so plain and direct, that he who has seen it, and knows *anything* about it is obliged to know, that what we state is at least substantially correct. The offence charged could not take place; it was a legal impossibility. The result is precluded by the stern conditions of law. What, for example, is the prohibition binding us, South? It is that we shall not attempt "pastoral oversight," or anything of the kind, in "societies, stations, and conferences adhering, by a vote of a majority, to the Methodist E. Church." Nor have we done so in any instance; and we can go into any court in the nation and prove the truth of the denial,—the findings of the huge "Committee of Forty-six," General Conference resolves, and Episcopal certificates to the contrary notwithstanding.

When we press the charge of infraction upon the North, however, they can make no such defence. They know and are compelled to admit their violation of the Plan. We have proved the fact in two enlightened

courts of justice, and can do it in any number of them. Take Cincinnati as an example, and, with all the special pleading of the Pittsburg General Conference to prove trespass by the South, we should like to know how even the question could arise so as to be entertained in the mind of an enlightened court. The Ohio "Conference," and all the "societies and stations" in it, in direct disobedience to General Conference law—in bold defiance of an authority which they, in the language of their own resident bishop, had pronounced "supreme," and the "all in all" of Methodist Church power—had doggedly refused to adhere first and last; and this act, as we show, incontestibly removed all the restraints of law, with regard to the South; or rather, the restraints never existed, as they could only apply where adherence had taken place, and no adherence having taken place in Ohio, infraction was impossible.

We can, however, defend the southern administration in the case of Soule Chapel, on other and independent grounds; although the single position we have taken, and intend to sustain, overthrows the whole labor, and annihilates every charge of the Northern General Conference on this subject. We have written proof, explicit and ample, from the Missionary Board itself, showing that they had given the Rev. George W. Maley, missionary of the Ohio Conference for the city of Cincinnati, permission to occupy (and, of course, establish a society at) *Vine street* church or chapel. We can prove that Bishop Hamline's famous, or, as the Northern General Conference would say, "so called"—"districting" of the city into exact geographical sections, to *fence in* Soule Chapel north, was *ex post facto* after the fact of adherence at Vine street. Or, if it be preferred, we can show what all

well-informed Methodists know without our doing it, that had Bishop Hamline done before the fact of adherence south at Vine street what he did *after it*, by the law of the church, it was of no more validity than if it had been done by his butcher or tailor; in a word, that a bishop has no such right or power, derived from either law or precedent.

We are not disposed, however, to burden this Appeal with trivial matters, upon which very little stress will be laid by those having a proper understanding of the whole subject. We prefer relying upon those views and facts which give character and significance to the question in dispute. Could we persuade ourselves that it is necessary, or called for by the real merits of the question, we should reply to the almost interminable list of northern imputations *in extenso;* and we decline doing so, for the present at least, because the tribunal before which we summon our accusers will, we are confident, make up its judgment upon the main points of the controversy, without reference to unimportant details. Meanwhile, we give notice to all, that we shrink from no examination of particular charges of trespass. Such an examination as we are prepared to subject them to must, at any time, recoil with damage upon our accusers. Let the case of Batesville, Arkansas, be selected. How will it look, should we have to prove in court, that a larger number of persons are claimed by name as the northern minority, than was found in the whole church at the time,—even including the well known southern majority! An affair so small at best, presented to public notice with such swollen dimensions, cannot fail to render the exaggeration harmless, if not ridiculous, especially as the northern party there has since gone south! Similar impositions have been

practiced with regard to Kentucky northernism. Assuming the General Conference to believe their own statements, they were sadly imposed upon. At one point some seventy names were obtained under false pretences; at another the names of children under ten years of age swelled the "nearly three thousand" list! and much more might be shown to the same effect. What must be the strength of the cause needing such means to support it!

The numerous complaints and charges connected with the Baltimore and Philadelphia Conferences, and so deploringly emphasized in the proceedings of the late General Conference, North, nearly all come under the category of *non-adherence and no right*—as shown in the case of Ohio—and, so far as the law (the Plan) is concerned, must and will be thrown out of court. The parties, north, had disinherited themselves of all right in the premises, by refusing the protection of the Plan. By refusing to obey the law, they deprived themselves and the whole church, north, of any right of complaint under the law. And with regard to any instance of alleged trespass, not embraced in this category, it can be shown, whenever it becomes necessary, not to involve the administration, south.

Let this view of the subject be borne in mind by the reader, as the only natural and allowable construction of the law, and what becomes of the whole array of alleged border infractions, by the South, figuring with such ominous plausibility in the *presentment* of the Northern Bishops, and the finding of the Grand Jury of "Forty-six"? This whole paraded array of irrelevant specifications can have no final effect, beyond the discredit it must inevitably reflect upon our accusers. The imputations are made by the very authority, and principally by the very men giving

birth to the law—by the very bishops who had officially announced to the church and public, that they regarded the law as of "binding obligation, so far as their administration was concerned." Now, we ask, did not these men know that, *by their own law*, the border "conferences, societies, and stations" were under *no church jurisdiction* until, as the law required, they had "adhered" north or south? Who can believe they did not know it? Does not the law say as plainly as anything ever was said, that the jurisdiction of the undivided church *ceased* upon the adoption of the Plan, and that all the border portions of the church were left to choose between the two general jurisdictions into which the original one had been divided, by the enactment of a special law for this special purpose? Knowing, then, as these bishops and the Pittsburgh General Conference must have known, and as we show they could not help knowing, that there existed no church jurisdiction whatever over these border societies and stations, and that none *could* exist over them until after adherence, as the law expressly conditioned; knowing further, as they all did, that they had not "adhered," and did not—could not, under the provisions of the law—belong to the northern jurisdiction, and therefore left the South free from the only restraints of which infraction could be predicated;—knowing all this, as all the world will decide they must have known it, how, in the name of common sense and common honesty, could these men prefer the charges they have against the South! Did our accusers believe their own charges? If they did, the reader will have no difficulty in perceiving what will be the kind and amount of *credit* claimable in the case. In any event, they must have presumed largely upon our tameness or incapacity. We confess ourselves at no lit-

tle loss to understand them. We are inclined to the opinion, however, that the whole movement was a stroke of policy—a *coup de main*—exhibiting a rare combination of special pleading and official denunciation, intended to intimidate the South, and divert public opinion from the real character of their movements against the rights and claims of the southern church. It will be seen at once that their management of this border question is in perfect keeping with their other movements already under review; and it is our business and purpose to show how inconsistently as well as unwarrantably, they have conducted themselves in relation to it.

We have seen that the Plan of Separation gave merely the *basis* of a line of division, and left it to be fixed and adjusted by the contingencies of "adherence," north and south. We have seen, too, that the northern party early resolved there should be *no boundary* according to the Plan, by refusing to fix it by adherence. It has likewise been seen, that this left the South without any border line to infract,—their rights to the neutral border ground being equal to those of the North. And these things being so, no one can help seeing how utterly—how worse than futile must be the imputation of infraction; as the very terms of the law and the facts in the case show the offence charged to be impossible. To make such imputation, therefore, against the South, one of the principal grounds on which to declare "null and void" a legislative contract which not only authorized the separate independent self-government of the Methodist Episcopal Church, South, but invested it with rights and immunities over which the legislature making the grant can have no control or right of reclamation, shows a want of considerate self-respect and high-minded integrity—if not a criminal purpose of

injustice—which must be taken into the account in any impartial estimate which may be formed of the character and motives of a party resorting to such a course of action. And we accordingly *except* to the conduct of the church north, with regard to this border question, as an additional instance of gratuitous injustice toward the South, and especially in the preferment of the charge of infraction; when the party bringing the charge must have known that their own misconduct, in trampling under foot a plain law of the church, had destroyed the *only condition* of law upon which infraction could take place,—the law itself giving the information, that the circumstances under which the South are charged to have done the wrong rendered it impossible that the offence charged could have been committed!

Let the reader—any one—turn to any given point of the basis-line of the Plan of Separation, and, with the law in his hand, say how is it possible even to conceive of trespass unless there has been actual adherence at that point in the *opposite* directions of north and south. The law makes such adherence, north and south, essential to the very idea of trespass. The law gives the basis of a border line, and evidently contemplated the *early* adjustment of a fixed boundary; but this has been prevented, by the refusal of the North to obey the law, by adhering in accordance with its provisions. The churches have been without a border line between them only because the North refused to fix one. The fault is wholly theirs. The sin belongs to the North exclusively. And what, after the evidence submitted, must be thought of the paltry fraudulent attempt to fix upon the South the charge of the lawless misconduct we prove them to have been guilty of themselves. But for

the contumacy and rebellion of the northern border "conferences, societies, and stations," the border would have been permanently fixed within three months after the Louisville Convention. Adherence took place at every point on our side of the line with the least possible delay. The whole shame—the entire responsibility of all the border difficulties, will be found to connect directly with the rebellious revolutionary conduct of our accusers. They alone are guilty of the faithless conduct charged upon the South; and truth and right will hold them to the responsibility to the last syllable of their earthly history. They may ring the changes upon their "peace measure" hobby until they are weary, but it will not avail. Despite all such evasions, it will be seen that they themselves broke the neck of their own "peace measure," by refusing to keep their public engagements with the South.

It has been shown that nearly all the border difficulties have occurred where there had been no adherence on the north side of the basis line, or before it took place; and on this single fact the whole controversy with regard to right and trespass must mainly turn. We maintain that the refusal, north, to adhere according to the plain letter of the law, operated a forfeiture of all right under the law; and, by removing the non-adhering portions of the border from under the protection of the statute, they did not in fact belong to one church more than the other, or rather, they belonged to neither. And we go farther, and maintain with far graver meaning, that the refusal to adhere, as an act of disobedience to the highest—the "supreme" authority of the church, threw the party so acting into a state of direct and open rebellion; and has, in every instance, been the *grand infraction* of the Plan or law, compared with which all others as charged north

or south are perfectly trivial. The non-adhering portions of the church, by such rebellion, were thrown into a state of revolution, in which the alleged trespass of right on the part of the South could not possibly occur. We *complain* and *charge*, therefore, that the church north, having everywhere upon the border, with scarcely an exception, publicly and notoriously spurned the law and insulted the authority of the General Conference,—that having thrown themselves into revolution in defiance of all law, right, and order, it is adding insult to injury, and false accusation to gross actual trespass, to charge the South as has been done in the published proceedings of the late General Conference of the Methodist Episcopal Church.

In the whole matter of the border difficulty, we show that the South is denounced for aggressions of which we prove the North guilty beyond all doubt. We may have erred and even done wrong—it would be strange under the circumstances if it were not so—but that we are guilty in the sense and to the extent, or anything like it, that we show them to be, can never be made appear. By the whole extent to which the observance of the border line *can* be made a *condition* of the contract we hold the North responsible, in the light of the clearest proof, for *utter and unlimited violation;* and in whatever way—to whatever extent—they charge the south with wrong, in this respect, they publish their own dishonor. It has been our aim, in the examination of this border question, to rely upon a few main points going to show the weakness and folly, not less than injustice and want of truth, characterizing the charges brought against us by the late Northern General Conference. We have confined ourselves to principles in immediate connection with the law and leading facts in the case; and if, in the

elaborate report promised by Dr. Peck in behalf of the Committee of Forty-six, there should be anything not substantially anticipated in this argument, we pledge ourselves, in behalf of the southern church, it shall be duly met and properly attended to. As the northern party have seen proper to annul the law which was the rule of action with them as well as the South, we, in turn, intend to show that they declared it null, because they knew themselves guilty of its violation and accountable for the consequences, and had other ulterior objects to accomplish by this ridiculous attempt at nullification. The real and final effect of their conduct will be to deprive themselves of all right under the Plan, while the rights of the South, as a question of equity remain unaffected, and will be asserted and maintained in a form not to be affected by any repetition of the duplicity and double-dealing by which we have been misled and kept in suspense during the last four years.

SEVENTH.—*We except to the course and action of the Church North, in numerous instances of wrong and grievance, not reducible to any specific class of offence, but tending directly to prove and illustrate all the different charges found in the series of exceptions constituting the substance of this Appeal.* As the first item in the miscellaneous list we propose, we ask attention to the evasive anomylous action of the Pittsburgh General Conference on the subject of "Arbitration." It has been extensively published north, and is generally believed, that the General Conference proposed *to the Southern Commissioners*, who were present, to settle the property question in dispute between the parties by arbitration. Such, however, is not the fact. No such proposition was made to us, nor was anything of the kind done or intended, except

upon the occurrence of remote and *improbable* contingencies, the non-occurrence of which it was doubtless supposed would save them from all farther trouble on the subject. The General Conference—true to the *instincts of the party* for the last four years—instead of *instructing* and *directing*, are careful merely to "authorize" the Book Agents to consult counsel, and then act at discretion in the premises. If the agents—not perhaps a very "disinterested" party—should think it unsafe or not best, upon advice of counsel of their *own selection*, then and in that event, nothing is to be done. The Conference will not judge or act themselves, but say to their agents in the language of cautious intimidation, they *may*, if they regard themselves safe in doing so. This is all that can be found in the first resolution. The second resolution merely directs that if no action could be had, upon the ground of the first, and the Southern Commissioners should bring suit, then the northern agents are authorized to offer a "legal arbitration," not *in*, but "under the authority of court." That is, when their never ending evasions of law and right, drive us into court for redress, if we will only be so obliging as to come out, they will settle with us, in a less *expensive* form! Such extra justice and rare magnanimity by "ministers of the Lord Jesus Christ," such touching specimens of "our common holy christianity" must prove not a little embarrassing, and must place us poor commissioners in behalf of the South, quite *hors du combat!* The third resolution, leaving every thing to the agents, says that in the event of no arbitration offered by the agents, and no suit brought by the South, the Conference recommends the Annual Conference so far to suspend the sixth restriction as to authorize the agents to submit the "claim" of the South to arbitra-

tion. There is nothing said intimating an admission, that what they promised to pay four years before, as one of the fundamental conditions of separation, ought to be paid; and that they were only in search of ways and means, but on the contrary there is a virtual denial of claim, as formerly admitted by themselves, and the claim itself has to be arbitrated, if the Annual Conferences will consent to allow such a course!

The most material feature, however, in this resolution, is the direct admission in terms, that the General Conference has no right or power to arbitrate the question, and of course could give none to their agents. What must be thought of the dignity and sincerity of a body of men who officially claim public approval for proposing to do, what they expressly admit they have no right to do! Can such official shuffling, however disguised, mislead any one, who can be supposed to understand its true character? The whole movement was evidently a studied strenuous effort to avoid settlement with the South on any terms. It was seen that it would at least postpone and embarrass settlement. That it would call off the public mind from the true issue, until they could arrange plans of operation for further aggression upon the South, especially where the sceptre of Abolition was to be swayed over Southern territory, and Northern party factions called churches formed on slave territory "but not of slave-holders," as avowed on the General Conference floor—thus insolently avowing the policy of entering the South, with the view of arraying the non-slaveholding population in the different States, by making as avowed a separate *caste* of them, *against* that portion owning slave property, and not to be admitted to their communion, except as they become *Abolitionists*.

In the preamble to the resolutions under notice, two things are particularly worthy of note. It is a little singular that before proposing their perfectly non-committal project of arbitration-no-arbitration, they connect the movement with the high obligations of christianity, and what the "whole christian world will expect" of them, and after this affectation of justice and high mindedness, by no means to be inferred from their former action, they proceed to inform us in substance, that in the absence of any sense of obligation to divide the church property with us as "mutually" agreed in 1844, they will, if compelled, adopt "the most peaceful measures" in view of settlement! What was this appeal to the sanctions of religion intended to cover? The reader may have some difficulty in answering the question to his entire satisfaction. The other item to which we allude is less difficult of construction. It is a plain distinct admission of what is roundly denied by the Conference in another of their adopted Reports—that the Southern organization took place in accordance with the provisions of the General Conference law. Hear the Report: "The recommendation of the General Conference at its last session in 1844, to change the sixth restrictive article so as to allow of a *division* of the property of the Book Concern *with* a distinct ecclesiastical connection, which *might be* formed by the thirteen Annual Conferences in the slave-holding States." Hear the same Report further. "The thirteen protesting conferences in the slave-holding States *have* formed themselves into a separate and distinct ecclesiastical connection"—thus showing that the declaration elsewhere, that the Southern organization was the "sole act of the Annual Conferences in the slave-holding States," is a libel upon their own statute book not only

for 1844, but also for 1848. This "so called" proposition to arbitrate, is uniquely curious in nearly all its aspects. It is so completely made up of conditions, shifts, and evasions, it is difficult to keep it in the mind long enough to analyse and detect its falsehoods. "If" legal advice should so decide—"if" the Agents themselves are "satisfied"—"if" their "corporate powers will warrant"—"if" they find they have not power—"if" legal advice be against it—"if" suit be commenced, then, "if" they choose, they can offer a legal arbitration—or of course let it alone, and with the warrant of indemnity before them, declare the whole movement "null and void!" The chances of escape, however, are not exhausted. It is found the General Conference cannot do what they had seemed to do: with no right themselves to arbitrate they can confer none, and hence new difficulties—"should" the agents find they are not authorized—"should" the South not commence suit—"then and in that case," they recommend the Annual Conferences, not to authorize settlement and payment according to contract—but to permit arbitration—the arbitrators to say whether the General Conference shall keep faith and contract with the South, as pledged and conditioned in 1844!

Finally, "in the occurrence of the above specified *contingencies*—*all* of them of course—when even the mathematical improbabilities in the case must have amounted to an indefinite postponement of the whole question in the minds of the body thus legislating—then the Bishops are "requested" to bring the matter before the Annual Conferences! And suppose the Annual Conferences consented to an arbitration, and "eminent legal counsel" advised against it, in that event of course

agents would not act upon the permission of the Annual Conference, and the whole would be a nullity. Or, suppose counsel and agents went for arbitration under the quasi grant of the General Conference without consulting the Annual Conferences, then by the declared judgment of the General Conference we should have a nullity again, as the right is assumed to be in the Annual Conferences exclusively. There is no ground of trust in any respect in which the subject is presented, upon which the South can repose without the fair probability of being further deceived. Say that the Annual Conferences consent to arbitration in 1849, what reason have we to believe they would not reverse the decision in 1850? They promised an equitable division of the property with us through their "supreme" representative council in 1844, and denied the obligation in 1845, and how far will this go to show they are likely to keep faith in future? Or if *they* should, what security have we that the next Northern General Conference would not undo the whole, and declare it "null and void" should the arbitration be favorable to the South. We had their public pledge in 1844, and have found it good for nothing, and what is going to make it any better in 1848, or subsequently? Must the fact that we have been deceived by them once, be received as a good reason why we shall not be a second time? What can be seen or found in all this to give us confidence? We contend with a party "doubly armed." If they pledge and promise us, as a General Conference, they release themselves in Annual Conference, where the same men re-appear as a separate disinterested party! The constituents refuse to be bound by the official acts of their representatives. The representatives repudiate their own acts, by resolv-

ing themselves, in Annual Conference, into the common constituency! We cannot trust men or movements of this description, and do not intend to be deceived by either any further. The General Conference repudiate because, as they tell us, the Annual Conferences so decided, and when we remind them of their dishonored faith, they refer us for remedy to the Annual Conferences! The nullification force at Pittsburgh, has not alarmed us so much as to induce us to concede important rights in order to be informed by arbitrators whether we have any! So far from this, we intend the movement shall be of service to our cause. By declaring the Plan "null and void," *because* "violated" by the South, they admit the *compact* character and *treaty* rights of the Instrument, and the Nullifiers are thus held to the responsibility of the original contract, unless they make good their charge of fundamental violation by the South, of the probability of which the reader by this time will be able to judge pretty correctly.

The objections to this whole arbitration movement, are many and weighty. It proceeds upon the assumption, that the Plan of Separation is legally extinct, together with all the rights and claims created under it. This is presumed because of the lawless violence with which it was proceeded against by the Pittsburgh Conference, declaring it "null and void," &c. We have seen, however, that many of their declarations and acts had no foundation in right, truth, or reason, and we regard this as equally destitute of right or force. Its actual validity, as a source of right and obligation, is not affected by the bad faith of the repudiating party. It does not exist it is true in the *same* relation to the parties that it did before the defection of the North in the faithless act of its repu-

diation, but it does exist in full validity for the protection and vindication of all the rights and claims of the South, guaranteed by it, and in this respect it will effectually bind the North, while their want of good faith to its terms and conditions, releases the South from its observance as a contract with those by whom it has been violated and dishonored. We cannot therefore admit the assumed invalidity of the Plan by a resort to Arbitration. There is another view of the subject, which renders it impossible we should have any confidence in this arbitration movement. Every one must perceive, that it cannot, under any circumstances, be invested with the high moral sanctions giving weight and character to the Plan of Separation, and as these were all disregarded by the party, we cannot of course trust them, when it is obvious that no such force of obligation can be brought to bear upon them in any subsequent instance. Judging from the past, we do not believe that any such arrangement would either satisfy or bind the party, and we are thus left without security as before. But apart from the General and Annual Conferences, should we consent to the suggested arbitration, (for we do not believe the party ever intended to *propose* one), what reason have we to suppose that the "Agents" in whose hands the question is left most adroitly, would pay any attention to it? the express order of the General Conference of 1844 to pay us our dividends, as we have seen, was treated by them with contempt and defiance, and the Agents rather than depart from the party policy of the Church preferred subjecting themselves personally to *an action of Trover*; we have, therefore, no ground of confidence in this quarter. Or let us take a different view of the subject; assume that the General Conference and Agents are both disposed to act

upon the suggestion, how long, we ask, is it likely the disposition will continue? Suppose the Church Editors shall give notice a month or two hence that this whole arrangement is premature and unauthorised and shall carry the ruling party with them as they did in '44? having done all this once and been rewarded and honored for it, what is the likelihood they will not repeat the experiment and with equal success? we have seen too much of all this to become a party to our own deception by trusting the actors again.

It must be borne in mind too, that it is proposed to have the arbitration with us as a *secession* unprotected by law. Our position on this subject is well known and we commit ourselves to no action or inference tending to such an admission. We should regard all negotiation upon such a basis as utter self-degradation; we cannot bring ourselves to think of it. We claim our demand upon a plain contract, as a contracting party, equal and independent. If our claim be met, well; if not, we charge injustice and shall seek redress in the form we deem most proper under the circumstances. To arbitrate as suggested would be to unsettle entirely and formally relinquish our claim as conceded and established in the Plan of Separation. We were original common owners with those who now hold the property, and our claim to a "pro rata division" was considered and admitted *before* Separation and as one of its conditions. It was agreed we should separate with the right of partners; we preferred our claim in form and gave notice that before Separation, and in view of it, provision must be made for its adjustment, and it was provided for accordingly in the Plan; and after all this we are called upon to submit to Arbitration! The adverse party destroy the Plan—deny

the contract—disown the debt, and tell us if they are to be annoyed with claims, if nothing else will do, then they will see; *perhaps* an arbitration will be proposed!

Among other grounds of distrust with regard to the intentions of the party connected with arbitration, is the fact that with a self-inconsistency too palpable to be overlooked by any one, after the most formal and ceremonious "destruction" of the Plan of Separation, declaring it to be as though it never had been, and themselves released from all "obligation" to observe any of its provisions—after all this, as if conscious that they had done too much or perhaps nothing at all, evidently in doubt which, they proceed with a painfully fastidious formality avowedly to base the arbitration of the property question upon the specific provisions of a law declared by themselves to be *extinct*! If they feel or admit no "obligation" to meet the claims of the South upon the basis of the Plan, why do they enumerate its terms and conditions as the ground of action? Did they honestly believe the Plan of Separation was "null and void", was "destroyed" as they had declared by public solemn resolution? If they did, then who can believe them sincere in the matter of this arbitration report, which avows action upon what is declared not to exist; we should like to know the "sense" of the Body with regard to this movement. Was it supposed that public opinion could be conciliated by a *show* of compliance with a repudiated contract? should the reader reject the idea of such a motive, the task will be his to furnish a more plausible one.

Another objection to arbitration is found in the fact that there are great preliminary issues to be settled, and settled adverse to the South before their claim can ever be put in jeopardy under the Plan. For example, if we make ap-

pear, as we are confident we shall, that the vote of the Annual Conferences, so far as *legally* taken, gave the required constitutional majority in favor of a division of the property with the South, it could hardly be expected that we should unsettle the question and subject it to a more doubtful determination before a board of irresponsible arbitrators. We shall prove beyond all legal exception, that the question was only lost by "blunder" and "evasion" as heretofore explained, and that *the constitutional majority of all the members of all the Annual Conferences "present and voting on the question,"* voted for a change of the 6th restriction with a view of giving the South their property; and we shall prove that this was known to the Pittsburgh General Conference, when they reported a contrary result. The truth is, and it is important it should be noted, that the General Conference had no right or jurisdiction in the case. The contract was beyond their control. It had passed out of their hands having been officially confided to commissioners and agents. The Plan makes it the duty of the agents to ascertain the decision of the Annual Conferences and act accordingly in conjunction with the commissioners. The General Conference had nothing to do with it.

The Plan says:—"Whenever the Annual Conferences shall have concurred &c., the *agents* of New-York and Cincinnati *shall*, and they are hereby authorized and directed," &c., making it the plain and obvious duty of the agents to *ascertain* the vote and *act* upon it. It is by necessary implecation made a part of their official business, and they are responsible for its faithful performance. The General Conference of 1844 confided the business to the agents and commissioners without any reference to a future General Conference, nor was it competent for the

General Conference or Bishops or any other authority to decide the question. The decision according to the Plan rested with the agents and commissioners; they are required to execute a given trust upon the occurrence of a specified contingency, and the law makes it a plain part of their duty to ascertain and judge of the facts with regard to that contingency and regulate their actions accordingly. They were *special* agents in trust to attend to this independently of any future General Conference of the Church North or South. That trust in our judgment they betrayed by not performing their duty, and are chargeable with a large share of this whole church difficulty beside the legal responsibility to which it is our purpose to hold them. They knew, every one of them, that both by intention of the Annual Conferences and every fair construction of law, we were entitled to a division of the property, and they were authorized to make it. But instead of this they take shelter under the flimsy and scarcely colorable pretence that no body had reported to them the result of the Annual Conference vote! whereas it was plainly their duty to inform themselves by application to the secretaries of the several Annual Conferences. In fact they were informed, for the secretaries, in the instance of each Annual Conference, published the vote in the official papers of the Church. And the Ohio, Baltimore and Philadelphia Conferences *gave notice that they had not voted against* a division of the property. Now let us see what change or alteration of the sixth restrictive rule was called for in order to justify the agents and commissioners in settling with the South. We quote the language of the Pittsburgh General Conference:— they say "to change the sixth restrictive article *so as to allow* of a division of the property with a distinct ecclesiastical connection which

might be formed" in the South. The notice given by the Ohio, Baltimore and Philadelphia Conferences was that they *intended this*, and it follows irresistably that although hese Conferences did not vote the change in the *form* proposed, yet they did vote it by declared intention, in the only form *necessary* to a division in the judgment of the late General Conference; that is, "*so* as to allow of a division of the property." This as before seen was sufficient warrant for action; the agents and commissioners however, declined action, and thus became a party to the injustice of which we complain. Knowing our right to a portion of the Church property to be unquestionable on moral grounds, regarding our claim as safe even under the Plan of Separation, and having no doubt about it in legal equity, we cannot consent to trifle with our rights and reputation, and the many important interests involved, by subjecting them to a mode of settlement utterly inconsistent, as we conceive, with the justice and equity of a claim once formally admitted and its payment provided for by the adverse party. It is proper to remark too, in this connection, that the Southern commissioners informed a committe of the General Conference, by whom they were invited to an interview, that they could not arbitrate or negotiate in *any form off the Plan* of Separation, and the resolutions respecting arbitration were passed with the knowledge that the Southern commissioners could not act upon them. It was known that no such proposition could be entertained if made. Why then was such action had by the Conference? why not content to say a proposition to arbitrate would have been made, had it not been forstalled by information from the commissioners South, that they had no authority to entertain any proposition except as carrying out the provisions of the Plan

of Separation? When this fact is connected with the perfect state of *equivoque* in which the question of arbitration is left by the resolutions of the Conference, we may be the better prepared to judge of the motives and policy giving them birth. It answered the purpose of enabling them to recover from the shock occasioned by the expression of public surprise and indignation. Time was what they wanted, and they obtained it. One of their own favorite editors, elected as Dr. Bond's successor, pronounces it a "humbug" throughout. Dr. Elliot in his first editorial after the General Conference intimates that it is something or nothing as they may prefer; that *something* had to be done, and this was the *least* they could do! Incidental party advantage was all its supporters expected from it, and the reader must perceive we have already devoted to it more attention than it deserves, in any aspect in which it can be viewed. It is perfectly of a piece with all that had gone before, preparatory to depriving the Southern Church of her rights. The family likeness is distinct, and the offspring wears the type of its parentage too plainly to mislead any one. Before dismissing the topic, however, we call attention to a few additional facts and inferences connected with this arbitration movement. The report represents that the claim of the South had to be decided upon by the Annual Conference before it could be admitted and paid. This assumption by the General Conference is essentially incorrect, and withholds the truth and facts of the case from the public eye; the right and claim of the South to a *prorata* division of the property were admitted in 1844, and payment promised and provided for in detail; some doubt, however, being entertained about the right of the General Conference to use the fund of the Book Concern without the consent of

the Annual Conferences to remove all difficulty *and render payment prompt and secure*, the latter were requested so to change the sixth restriction, in the language of the late General Conference, "as to allow of a division of the property of the Book Concern." The *right* or *claim* of the South was not submitted to the Annual Conference in any form, nor was anything of the kind ever intended. So far from this, upon the recognition of our *right*, the *claim* had been fully admitted and payment formally provided for, as one of the essential conditions upon which we were to separate. The Report, therefore, wholly misstates the facts, and the justice of the case is utterly perverted by the very terms in which it is stated. The Annual Conferences were consulted to enable the General Conference to *pay a debt* contracted by adopting the Plan of Separation. To represent, therefore, as has been done by the Pittsburg General Conference, that the question of *right* and *claim* had been submitted to the Annual Conferences for their approval, and rejected, is a statement as destitute of truth as the whole movement is irreconcileable with honor and fair dealing. If the reader will turn to the Plan or contract of Separation, he will perceive at once that its language and intention are alike perverted both by the General Conference Report and the Pastoral Address of the Bishops in behalf of the Conference. The Bishops evidently lend their influence to make the impression that the *claim* of the South to a portion of the property is, to say the least, doubtful. They say they are disposed to meet our claims "*if* they are founded on justice and equity; and this after the *admission* of our claim *upon settlement* had become their *debt*! The action of the Annual Conferences did not touch or affect the claim; the question of right was not before them. That

matter was settled by the General Conference of the whole Church, before the Southern Delegates ceased to be a part of it. It was secured by contract in the enactment authorizing us to separate if we saw proper. Assuming the General Conference then, to be sincere in the movement toward arbitration, we prove that the proposition is based upon a *false issue*, as dishonorable to themselves as it is injurious to the South. They deny their debt and obligation to pay, under color of Annual Conference action never had—under pretence of a decision by the Annual Conferences upon a question never before them, never submitted to them, directly or indirectly! How the Annual Conferences will receive and relish the imputation of having acted the silly part of deciding a most important question never submitted to them and over which they had no control, we are not prepared to say; but as the parties are equally interested, and it is all in the family and they are known to go against the South with "great unanimity," it is not likely the Annual Conferences will protest very strongly against the injustice and folly of which they have been guilty by the snowing of the General Conference. The Annual Conferences however, are evidently not guilty in this respect; they did no such thing as that alleged by the General Conference. A majority of all the members of the Annual Conferences, although they failed to vote it formally, have publicly declared their *will* and *wish* that we should have our share of the property as accorded in the deed of settlement, and the glaring, false issue and consequent deception in the case, belong to the General Conference. That body labored long and plausibly to show how anxious they were to deal justly and fairly with the South; and a part of the process was to disguise the real character and *status* of our claim, and

throw its rejection upon those who had nothing to do with it. They attempt most studiously to make a merely *mooted*, when they knew it to be a *settled* claim, admitted by themselves; and upon this false assumption proceed to embarrass all adjustment, by proposing vague alternative modes of settlement, not one of which could possibly be *final*, before the next Northern General Conference in 1852! To prevent and preclude a fair adjustment would seem from their conduct to be their only object. Weakly and wickedly destroying the Plan of Separation, so far as the imbecility of the attempt admits the idea, declaring "null and void" the law under which the Southern Commissioners were created and accredited, and upon the basis of which alone they were authorized to act. Knowing that the parties could not come together after its destruction, and that nothing could be done, having destroyed their *own bond to pay* and called for the evidence of our claim; under these circumstances of irresponsible "runaway" indemnity, we are mocked with the professions of kindness found in the Report! No attentive observer of the proceedings of the Northern General Conference could help perceiving that the lean arbitration majority in that body, calculated largely upon the effect the movement to arbitrate would have upon the public mind. It was evidently supposed that the measure would greatly embarrass the South, and that we could not *accept* or *decline* without placing the Nortn upon vantage ground in the final settlement of the property question. It was seen that the antecedant presumption of fairness and liberality usually furnished by a proposition to arbitrate, must make in their favor, and would probably deter the South from bringing suit, should nothing else result from it in furtherance of their wishes. If we accepted the propo-

sition to arbitrate, *should one ever be made*, (a question the General Conference was careful not to settle), it was seen we must decline the prosecution of our claims under the Plan of Separation—a consummation devoutly to be wished by our covenant-breaking friends of the North. If we refused to arbitrate, it was supposed they could make the impression extensively that we were actuated by motives and policy at once unjust and illiberal. Either horn of the dilemma, as the South might choose, it was confidently expected would tell favorably upon the objects of northern diplomacy, and hence they *propose to themselves* to arbitrate the question, unless they should see proper to decline doing so! It is now more than two months—seventy days — since the passage of the arbitration resolutions, and no communication has been made to the southern commissioners—no action of any kind, so far as we have reason to believe has been had upon them. It has doubtless been found more convenient and more in accordance with their plans and policy to have a *fifth year's* use of our funds before allowing any step to be taken that might result in their being deprived of them. We can prove the agents had time to take the advice of counsel, and in the event of its being unfavorable to arbitration, the question might and should have been brought before all the northern Annual Conferences, whose sessions have occurred since the middle of June. Let the reader add this additional unnecessary delay to four years of quibbling evasion, and ask himself how much longer the South ought to wait? What motive or reason can be urged for farther delay ? We have just seen, that notwithstanding the boasted demonstrations of fairness in the non-committal arbitration report of the General Conference encouraged by the temporary subsidence of public indignation which

followed its adoption, they are now, precisely as we expected, doing nothing toward the accomplishment of the object about which they appeared to be so exceedingly anxious. In view, therefore, of all the facts, reasons and inferences to which we have called attention, showing a very prevalent indisposition, if not settled purpose on the part of the Northern Church not to divide the funds with the South, and especially a most hopeless state of indecision and disagreement both with regard to the means and the end implied in any fair settlement of the question, we cannot consent to risk the interests involved by any mode of settlement the effect of which would be in any way or to any extent a relinquishment or invalidation of right under the Plan of Separation. As original partners and freeholders with regard to the entire property in question—equity, under the circumstances which led us to separate with the full consent of the Northern Church, gives us a right to a portion of the property. This right was conceded and confirmed by contract between the parties before separation. It is our true position to claim *in equity under the contract.* Knowing the pledges and promises of the adverse party to be of no avail, the only remedy left us is *to assert our rights under the contract*; and in doing so we confidently appeal to the justice and impartiality of public opinion.

The last Reports adopted by the General Conference, from the Committee of Forty-six, and not published until June, and put forth as the concluding apocalypse of the party in abuse and depreciation of the South, have reached us just before closing our Appeal, and we can devote only a few pages to such items as may seem to require notice after the anticipation of their contents with almost historical accuracy in the foregoing part of our Review.

And believing it to be essentially unnecessary, we are glad to be relieved from the task of examining in detail, the elaborate tissue of fiction, sophistry, and barefaced misstatement, for which alone they are remarkable. These nondescript reports charge the South upon the basis of quoted documents, when the very passages adduced in evidence, prove the falsehood of the charge. For example, it is charged that the Louisville Convention taught the violation of the Plan of Separation, and the proof is that the Convention provided that should any portion of an Annual Conference, not represented in the Convention, adhere South, "*according to the Plan of Separation*," they might upon the established rates of representation, elect and send a delegate or delegates to the General Conference of 1846. The allusion of course is to *travelling* preachers, who had a right to adhere South when and where they pleased, and so adhering as authorized by the Plan, it was entirely competent for the Convention to provide that they be represented in the approaching General Conference, and doing so as the Convention required, "according to the Plan," it *could not* be in violation of it, and the *slander* of the report is potent upon its surface. The very words the report quotes to prove the charge, gave the authors of it notice that it was utterly destitute of any thing resembling truth. Our accusers knew very well that the *people* were not alluded to in the resolution, for *they do not send delegates* to General Conference, and the preachers, as all know, had a right to adhere without reference to lines or Conferences. The resolution is in strict accordance with the Plan, and the charge of the report recoils upon those bringing it as a "false accusation." So much for the bungling, baseless charge that the South "extended the Plan into the bound-

aries of the Baltimore, Philadelphia, and other Conferences!" Men capable of such falsifications of history and fact, whether from ignorance, interest, or malice, will bear being watched any where. Again, many societies on the southern side of the general line, intending to go South, and having no northern sympathizers in them, thought it unnecessary to have *formal* action, as it was notorious that they all went South, and there was no adhering on the other side of the line, and the Convention resolved accordingly, that where this was the case, as the *end* proposed by voting was answered, it should be understood constructively, "as adhering to the South," that is, as meeting the requirement of the Plan. The resolution is restricted to "societies and stations on the border within the limits of Conferences represented in the convention." Northern ground and northern rights were not affected, and so far from teaching the infraction of the Plan, it taught directly the contrary, by simply showing the *mode* in which such societies might be regarded "as adhering South"—especially as the North refused to adhere at all. It was intended to apply to such societies as were interior charges at first, but were or might be brought upon the border by the adherence of others North, as at Augusta, Ky. The resolution had no reference to the *fact* but related entirely to the *mode* of adhering, and hence the groundlessness of the charge urged in the report. It is farther charged upon the South,—"Hence their preachers have generally prevented *any* voting, wherever they could *by any means* prevent it." The truth in the case is, that the very men who bring this charge, are themselves notoriously and universally guilty, as elsewhere shown, of the very conduct charged upon us as criminal. They did all in their power to

prevent any attention to the requirement of the law, and during a term of four years, preached and practised its non-observance as a virtue along the whole border from Philadelphia to Missouri, as the columns of all their church organs will at any time show, and they find it worse than useless to deny—they do all this, and with the evidence before them that adherence had taken place at all points on the southern side of the line, come forward and claim the virtues of good character, in charging their *own guilt and shame* upon the South! "My soul, come not thou into their secret place, mine honor, be not thou united with them." And what adds to the enormity of such perfidious treatment, is the fact that there exists no apology for it on the score of want of information. They had ample means of correct information, but would not avail themselves of the truth. If it be useless to talk about records—for we have seen how they use them, there were southern men present—men they knew where to find and how to approach, who had it in their power and were fully prepared to prove the falsehood of these charges in any court in Pittsburgh, on the very day they were penned, and a knowledge of this fact was probably the reason why they were not consulted.

The General Conference charges it as a grave offence in the South, as met in convention, that "they exceeded the provisions of the Plan by extending it into the territory of the Baltimore, Philadelphia, Pittsburgh, and other Conferences," whereas no well informed schoolboy could read the Plan, without knowing that it included these Conferences *as directly and properly* as those of Virginia, Kentucky, and Missouri! Does this denial or perversion of the truth result from ignorance of a plain

law specifically named as "reciprocal" in its bearings on *both* sides the line, or must we believe it an attempt to falsify the letter of the law, that the public might be gulled into the belief that they had a right to declare it null and void? In any event, whether the one or the other, we prove them guilty of a grave legislative avowal, directly and invincibly contrary to truth and fact.

The other charge, that "in *all* societies where no vote would be taken, they claim them constructively," is equally unfounded; for the resolution instead of extending to "all" border societies on either side the line, is by their own quotation of it, confined to those "within the limits of Conferences represented in the convention;" so that, in both cases, their own evidence disproves the fact fabled in the charges! These misrepresentations are the more offensive because, as we have shown in numerous instances, and shall show in others, our accusers are notoriously guilty of the charges they bring against us, and a pertinent example is the one before us. They gravely assign it as a reason why they should not keep faith with the South and should dishonor a law of their own making, that border charges were regarded, in instances specified, as constructively adhering South without formal voting, whereas they have acted on this very principle from the beginning, and we can prove and will do so whenever denial renders it necessary, that not one in a hundred of their border societies ever voted at all, and that their church organs advised and approved the refusal to do so, and yet all these have been constructively claimed as adhering to the Methodist Episcopal Church! By what logic will the reader prove to his own satisfaction or that of the public, that such conduct is just and honest? The law is the same—is one with regard to both; if they be-

lieve us to be guilty of its violation they must know themselves to be guilty, and to charge us with blame and exempt themselves, is in our judgment a moral offence compared with which mere folly would be a virtue. It is worthy of notice too, that adapting these reports to the foregone conclusion of repudiation and declaring the Plan a nullity, with which they come together, it is affected at every step that they considered the line as fixed by the northern boundaries of the southern Conferences in 1844, whereas the Plan not only authorized societies and stations but Annual Conferences on the border to adhere South. Suppose then in accordance with the plain provision of law, the Philadelphia, Baltimore, Pittsburg, Ohio, Indiana and Illinois Conferences had adhered as the General Conference allowed them to, if they saw proper, where would have been the line? it would, as every one must perceive, have been removed to the Northern limits of these Conferences, thus showing the fallacy of their general position on this subject and the ridiculous posture in which they place themselves by charging us with "crossing" the line, when they had refused to fix a line by adherence in any form. There is no paucity of items going to make up the unique redoubtableness of this "Ravel family" of reports. For example, it is stated with grave formality that "the Plan could have no reference to the Philadelphia, Baltimore or Ohio Conferences;" that "by the concession of all, the Plan was confined to the thirteen Annual Conferences in the slave-holding states." That the Plan was confined to the latter Conferences as a contracting party with the remainder of the whole number of Conferences is admitted; but that it relates to this remainder as properly as the "thirteen" is equally certain, and in the sense of the Pittsburg General Conference, it

is not true in whole or in part that it was "confined" to the Southern Conferences. So far from it, no man can read the Plan without perceiving that the contrary is true. The charge is utterly false, and all the world is told so by the law itself, and so far as we can perceive, none knew it better than the authors of the report when they attempted to palm the contrary upon the public. The law is too plain for stupidity itself to misconceive its meaning; its language is, after naming *both* churches, that they "*reciprocally* observe the *same* rule in relation to stations, societies and conferences, adhering by vote of a majority." There was no law binding the South except at points where an antagonistic vote of adherence had fixed a line left unsettled and only to be fixed by each adherence. Most sincerely do we wish the necessity had not been imposed upon us to hold such language, but charged and defamed as we are in these reports how can we avoid it? Falsely charged, as we show by incontestible evidence, must we remain silent, or is there any reason why the injurious treatment we have received should not be exposed in its proper colors? The imputation against the Southern Bishops is equally unfounded, and the proof of it will be found no less conclusive. Bishop Soule instructs border societies in the *precise language* of the Board of Bishops at their meeting in 1845, and respectfully suggests that *rather than rebel* against the law and authority of the General Conference by non-adherence, it would be *better* for societies to divide, and minorities seek such ministerial supply as *they* might prefer. And this plain and explicit instruction *to obey the law*, is directly falsified in the report, and the Bishop is made to "teach" directly the opposite of what he says! There is not a word in Bishop Soule's instructions about the "sliding" character

of the line beyond what is found in the Plan itself and the Episcopal exposition of it, and not half as much as in Bishop Morris' letter to McMurry on the same subject, about which, however, these sagacious partizan legislators are careful to say nothing, except to approve in Bishop Morris what they condemn in Bishop Soule! The charges against Bishops Andrew and Capers are equally unfounded. The work of adherence South, in the Kenhawa district, commenced with the societies adjoining the Kentucky Conference, and continued without any *opposing* adherence North, until the way was *legally* opened for the adherence of Parkersburg, so that the statement respecting that charge or station tends only to disguise and withhold the truth. The regular adherence South of all the intervening societies, brought Parkersburg upon the border and gave that station the undoubted right to adhere according to the Plan; and yet the contrary of this perfectly notorious fact is recklessly asserted by the Pittsburg General Conference. That body refers us to the statement of the Northern Bishops as "undoubted and official testimony." The Bishops, however, spoil the reference by informing us that they give the "alleged infractions" as they had reached their "ears," and not either "officially" or with a "knowledge" of their correctness. The *hearsay* evidence of the Bishops may be unexceptionable "official testimony" as *second hand* information; but so far from its being "undoubted," nearly every statement they have made will be challenged and disproved as essentially at variance with stubborn well-attested facts. We leave it to the Bishops of the Methodist Episcopal Church South to reply to these charges in order and necessary detail; but we deem it proper without conferring with them to show that the most material of them have no

foundation in truth and fact. The Bishops report the Leesburg station, Baltimore Conference, for example, as adhering North by vote of a majority; whereas we have the most incontrovertible evidence—a part of which is the written statement of the Baltimore preacher in charge, Rev. J. Guest—showing that the station adhered South by a majority of at least thirty! The Bishops charge an infraction of the Plan iu the instance of Bethel, Ocahonnoc Neck, Eastern shore of Virginia, alleging "here *no vote* was taken," but it so happens there was a regular official vote in a regularly called and organized meeting of a large majority of all the society, when the vote to adhere South was unanimous, the proof of which can be furnished to the satisfaction of any tribunal in the land, the General Conference of the Methodist Episcopal Church, North, excepted. The Bishops charge in the case of Franktown, that the South obtained a majority by allowing "numbers" to vote who had not attended class-meeting for years. They are careful, however, not to state that none voted except such as were found upon their own church record, as regular members unimpeached and in good standing under their own administration and pastoral oversight!

The Bishop's statement shows the societies on the eastern shore of Virginia to have been border societies, and of course, by the Plan and according to their own official instructions based upon it, they had a right to adhere North or South as they saw proper, and after their adherence South, there could be no infraction of the Plan in supplying them with ministers. The statement itself defeats and discredits the purpose for which it is introduced. The report, (to drop the *family* feature), avers, with the dogmatism and disregard of facts by

which it is distinguished in all its parts, "our Bishops have most scrupulously observed the regulations of the Plan." The reader need not be reminded—for the proof is clear and full before him—that no obligation, direct or implied, rested on the South to abstain from border territory north of the basis line of separation, except where adherence north had debarred entrance from the south; and it seems that the northern Bishops honor and "scrupulously observe" the Plan by charging southern violation, where they could not help seeing the Plan itself precluded it!

Again:—as we have heretofore furnished legal proof, so also it will be in our power to do it at any time, that in Kentucky, Missouri, and Virginia, ministers were sent from the Methodist Episcopal Church, North, to *minorities* of societies, in each of which clear and unquestionable majorities had adhered South, and this *before* "Vine street charge, "Soule Chapel," or any other southern charge was known or heard of north of the *moveable* line of the Plan of Separation. If the Bishops did not do it directly, it was *connived* at and *allowed* to be done by subaltern agents of their own appointment, without reproof or revocation. In the instance of St. Louis however, it affords us pleasure to except Bishop Morris from the application of the preceding statement, as Akers, the Presiding Elder, acted in cool official *defiance* of Bishop Morris, and was encouraged and sustained in his rebellion and abuse of office, by leading church papers, especially the Western Advocate. The Pittsburgh General Conference seem to have disposed of the difficulty without the least embarrassment, by deciding that the Bishop did right in *obeying* the law, and that his contumacious officer acted still more commendably in treating it with con-

tempt! The report declares the church, north had done every thing possible to preserve the line between the the churches "unbroken." We have seen however that from one end of the line to the other, and from first to last, in open breach of all good faith and defiance of law, they refused to allow the establishment of a line by the adherence made necessary to do it by the plain letter of the law, and were beside, *the first to cross* the nominal line after it had been fixed by adherence on the Southern side! The report charges us with "destroying the whole Plan," because we asserted our rights under it, and would not permit them to proceed with their violations without the resistance and exposure called for by their want of good faith. The report assumes that the Plan was destroyed beyond the possibility of restoration by the resolution of the General Conference of the Methodist Episcopal Church South, approving the administration of Bishops Soule and Andrew. The reader need only throw back an eye upon the facts and evidence of this Appeal, to feel the full force of this ridiculous assumption. When the baseless assumptions and apocryphal data of the report are overthrown by a direct and clear presentation of facts as they occurred, what becomes of the confidence and inflation constituting the most remarkable characteristic of its inferences?

The famous "figure-head" position of the "final report," that the Methodist Episcopal Church, South, exists a separate and independent Church by the "sole act and deed" of the ministers and members composing it, has been shown to be a falsification of fact and history so utterly unfeasible—so sheerly without claim to even a decent show of truth or reason, that any farther notice of it must be regarded as entirely superfluous. To say nothing of

the other evidence adduced, we disprove the assumption by almost innumerable declarations of the very men bringing the charge!

Another of the legislative libels of which we complain in this report, is that the authors and signers of the "declaration," instead of seeking a "constitutional" redress of "grievances," sought such redress in a "violation of the integrity of the Methodist Episcopal Church." In direct disproof of this fraudulent attempt to *unchurch* the South, we have demonstrated in nearly all the forms in which a fact bearing date four years ago can be proved, that the very authors of this disgraceful perversion of the truth of their own records, admitted the validity of our plea of grievance—declared the Plan of Separation a "constitutional" remedy, and bid us God's speed, if we saw proper to act upon the full and official authorization they put in our hands! The paragraph of the Report devoted to the Protest, is so tamely destitute of either point or pertinence of any kind, that it is unnecessary to notice it except to remark that the signers of the protest regarding their rights grossly violated by the majority, did believe a division of the church would be necessary unless the majority made reparation; but the minority had no intention of pursuing a course that would in any way operate a forfeiture of right; and they accordingly sought and obtained proper "constitutional" authority for all they did, and hence the fallacy of the report in bringing this charge. The amount of the charge is, that we did what, it is in proof, they authorized and expected us to do. They charge that the meeting of the southern delegates in New York, on the day after the adjournment of the General Conference of 1844, was "unauthorized," requires nothing in addition to our notice of it, before

seeing the report. We have shown our authority to be full and express, as derived from the General Conference, to say nothing of the undoubted right of a minority to meet and confer under such or similar circumstances, without any reference to the views or wishes of the majority. The minority,—then an admitted contracting party with the majority, as shown by the Plan of Separation,—had clear and undoubted right to do as they did; a right recognized by the common law and public intelligence of every country, and the denial of it by the Pittsburg General Conference cannot fail to surprise and disgust the intelligent reader so soon as the facts in the case are brought to his notice. It is an exhibition of arrogance every way as preposterous as it must be felt to be offensive.

Among the absurd positions and inanities of this singular report, the allegation appears that a "convention" was looked forward to as among the means in contemplation to free the minority from the oppressive jurisdiction of the majority, against which they had solemnly protested as an injustice not to be borne! Certainly it was supposed, that should the Church, South, concur in opinion with their delegates, that the faithless and unjust conduct of the majority could not be borne without fearful detriment to the interests of Southern Methodism, they would proceed to action in all ways necessary to assert and protect their rights, and as the Plan of Separation gave them the right in a dozen different places and forms to become a separate "church," should they see proper, a Southern "Convention" was among the most *natural consequences* of the action of the General Conference of 1844. The only ground of surprise is, that men of sense and honesty should affect to think the call of a convention improbable

under the circumstances. Upon a single contingency, which we show the majority themselves *believed* would occur—that of finding it "necessary," the adoption of the Plan of Separation rendered a convention indispensable. That the Plan of Separation should lead the South to meet in convention was the least that could have been expected of it. The Plan, by the ends it expressly authorized, (the separation and independence of the South,) suggested and pointed to a convention as the necessary means of accomplishing the object had in view by the Plan. No man, not the slave of prejudice and prepossession, can regard the convention as any other than a natural result of the Plan of Separation, and the causes leading to its adoption. The General Conference of 1848 denounces us for a resort to means without which it was impossible to accomplish ends authorized by that of 1844, and the folly and injustice of such a course must be obvious to every one. We have a singular specimen of "begging the question" in another of the report's absurdities. It is alleged that the action of the Southern Convention in 1845 and General Conference in 1846 was a "withdrawal from the Methodist Episcopal Church," and it is the evident intention of the General Conference to make the impression contrary to truth and fact, that it was a violent, unlawful withdrawal, whereas, despite a thousand such reports, we shall always have it in our power to prove that it was a simple withdrawal from under the jurisdiction of the General Conference of the church "as then constituted," and that we had the full and unqualified authority of the General Conference to do so, should we "find it necessary" to establish a separate "ecclesiastical connection" in the South. So explained, we admit the charge of withdrawal, but in the sense intended, deny

it as utterly untrue. One of the most extraordinary examples of reckless hardihood of assertion found in this voluminous bundle of mis-statements and contradictions, false data, and illogical conclusions, is the averment in relation to the Methodist Episcopal Church, South. "We affirm it to be impossible to point to any act of the General Conference, of the Methodist Episcopal Church, *creating* or *authorizing* said church." We do not know how such trifling with truth and history—such gross insult offered to common sense and public virtue throughout the country, may strike others, but to us it is inconceivable upon any principle not reflecting direct dishonor upon our accusers. We however may not be the proper judges in our own case, and we cheerfully appeal the question to the decision of the reader and public opinion.

Let the General Conference of 1844, be heard in the Plan. It is there distinctly stated, 1st.:—that the action of the Plan was had on the *basis* of the "declaration" of southern delegates, which "asks attention to *separation as not improbable.*" 2d.:—It is explicitly admitted that the declaration presented "an *emergency* to be met with christian kindness and the strictest equity." 3d.:—It is admitted that this "emergency" might render a southern "ecclesiastical establishment" necessary, and if in the judgment of "the Annual Conferences in the slaveholding States," it should be found necessary, it is provided and stipulated what should be the *terms* and *conditions* of separation. 4th.:—The rights, claims, obligations, and immunities of the parties are defined under the formal guaranty of law. 5th.:—"Provisional arrangements are settled, for fixing the boundaries of each connection." 6th.:—It is settled and adjusted, that all "interior charges" shall go with the territory of each

church, but that border charges shall have choice, and that choice *in opposite* directions at any given point, is necessary to fix the actual boundary, contingently agreed upon in the Plan. 7th.:—It is permitted by formal grant to all Bishops and ministers, to select *either* connection "without blame." 8th.:—It is admitted that the property of the church is owned *in common* by the parties, and legislative provision is made for its division, as matter of justice and right; and this stipulation includes church property of every kind, extending even to copy-right. 9th.;—The southern portion of the church, should "the Annual Conferences in the slaveholding States" see proper to avail themselves of the warrant of law and become separate and independant, is recognized as a "distinct ecclesiastical connection"—"southern organization" —the "southern church"—"the church in the South"—"the church, South"—"Conferences, South"—"such connection" (southern)—"Ministers in the South." 10th.: —They speak of the southern church as "formed" "organized" and "established" on the basis of the Plan they had devised and adopted. All this is true beyond question or cavil—it is in the law itself; and yet the Pittsburgh General Conference, in direct contradiction of the plain language and evidence of both law and history, insanely affirm that *nothing whatever* was done by the General Conference of 1844, authorizing the formation of a separate church in the south! Bishops Hedding, Waugh, Morris, and Janes, all northern Bishops, hold the following language, in an official manifesto, *after* the organization of the church, South. "Resolved, That the Plan adopted by the last General Conference, in regard to a distinct ecclesiastical connection, should such a course be found necessary *by the Annual Conferences* in the

slaveholding States, is regarded by us as of *binding obligation* in the premises, so far as our administration is concerned." Thus plainly declaring their understanding and conviction, that the General Conference had duly and in good faith authorized the establishment of a separate church in the South, which they were bound to recognize and treat as such. And in the face of these facts, how could the General Conference of 1848 affirm and publish to the world, as we show they have done, that the church South exists by the "sole act" of the ministers and members composing it! Was it supposed that a vaporing denial of truth and fact, might at least do something toward their diguise and suppression? Was it assumed that as comparatively few were well informed on the subject, such gross and reckless perversion could not fail to withhold attention still farther from the true merits of the question? Let the reader take the evidence upon which his eye has just rested, and come to a different conclusion if he can.

Another of the miserable misrepresentations of this most unveracious report, is in the following words:—"The northern boundary of the prospective new church to be *fixed* at the northern extremities of those societies, stations, and conferences, a majority of whose members should of their own free will and accord *vote* to adhere to the said *southern* church." The utter want of anything resembling truth or correctness in this statement, is obvious from a bare glance at the law in the case, to say nothing of the additional evidence already submitted to the reader. The law expressly requires adherence on both sides the line and in opposite directions, before the boundary can be settled. This however, and various other parts of the reports and proceedings of the General

Conference assume and declare, that the boundary was to be fixed by adherence South *only*. The law says, *after* requiring adherence South, and expressly in addition to it as necessary to fix the boundary—"adhering by vote of a majority to the Methodist Episcopal Church," North. Now we pray to be informed why this plain provision of law, under the eye of the General Conference at that very time they distort and deny it, was thus shamefully tortured to bear false witness against itself? Could a hundred and forty intelligent men, under any conceivable circumstances, misunderstand the language we have quoted? We think not. And if not, how are we to explain such conduct?

But let us hear the northern Bishops on the subject. In their manifesto, already referred to for other purposes, they profess to give directions to the border societies "in regard to their adherence *to the Church, North* or *South.*" These instructions were a part of their official administration, approved as correct by the General Conference of 1848 on one page of its proceedings, and declared not to have been thought of on another! How can men consent to trifle with their character and understanding in this way? The very vulnerable character of this report is farther seen by the assumed conditions upon which, it is alleged, depended its validity. The first was, the "Annual Conferences," South, were to "find it necessary." The proof is before the reader that with a unanimity without parallel in the history of deliberative and popular suffrage, the South *did* find it "necessary," and the strong argument of the North is, that "less than three thousand" dissentients, nearly half of them being negroes, Indians and children, have a right to reverse the decision of nearly half a million! And farther, although they had conceded

the exclusive right of judgment to the South, as the *sole condition* of the constitutional validity of the Plan, yet the safety of the church property rendered it necessary they should revoke the grant and constitute *themselves* judges in our stead three years after action had been had upon the grant! 2. It is most absurdly averred that "the *financial* part was deemed by *both* parties as essential to the Plan." The meaning is, as elsewhere avowed by the General Conference, that without the change of the restriction the Plan was of no force. The Plan itself, however, discredits the statement by showing that the change of restriction related only to the *method* of paying us what they admitted they owed us. The law says, in allusion to this fact, "*that part* of this report requiring the action of the Annual Conferences," showing that all the rest of the Plan was valid and was to go into effect independently of the "Annual Conferences." What was meant for an argument, therefore, turns out to be a mere absurdity. The third condition assumed relates to the "friendship and fidelity of the parties" in observance of the contract, and with regard to which it is only necessary to say, that this Appeal, to say nothing of other sources and forms of evidence, will show which party has been most manifestly wanting in the virtues of honor and good faith connected with this whole controversy. Let public opinion decide between us, and if it is necessary, the courts of the country; we have no fear of the result. Another of the false statements of the report is, alluding to the southern delegates in 1844, that "the General Conference would by *no means* allow this question of necessity to be decided by *these men*." The truth is, as we have shown, the General Conference *did allow* us to do it, and the report was *so adopted*, and but

for a motion of ours would have remained so. No objection of any kind was hinted by the majority, and the change took place on application from the South, just before the adjournment, and the statement of the report is as untrue as it is unfair and disingenuous.

Among the disguises and distortions of the report, the following may be instanced. "The Plan, rested upon *the production* of such a state of things as was predicted *by the acts of the General Conference alone.*" It is distinctly assumed that nothing else was intended or alluded to. By turning to the declaration, however, the reader will perceive at once that a part of the truth is suppressed. The declaration calls attention to *three separate* grounds of action; the report attempts to impose upon the public the assumption that there was but one. The first reason of the declaration is "the *continued* agitation of the subject of slavery and abolition in a portion of the church." The second is, "the *frequent action* on that subject in the General Conference." The third, "especially the extrajudicial proceedings against Bishop Andrew." No one can help asking why the first and second grounds, embracing a range of twelve years and including three General Conferences, were kept out of sight, and the last only asserted to be the *sole* ground of action! These perversions of public facts and records are to us passing strange, not to say unaccountable. In the reply to the protest, there are numerous distinct admissions, showing both the fallacy and unfairness of the pretence we are now exposing; but as the reader cannot help seeing that the charge is not true and that the reasoning is absurd, we dismiss the charge as disproved by the very evidence offered to sustain it, and as only worthy of notice because falsely urged in prejudice of southern rights secured in the instrument it distorts and misrepresents.

One of the graver offences of the report, is the following declaration:—"a vote on the change of the restrictive article, was understood to be a vote on the *merits* of the Plan *as a whole.*" It is certain it could have been so understood only by an antecedent misunderstanding of the law, which, as we have seen, affirms the contrary by excepting from the action of the Annual Conferences, all *that part* of the Plan which *actually provides* for the division of the church. The Plan itself specifies that no right of ratification or rejection belongs to the Annual Conferences; and yet the report persists in asserting the contrary, and attempts to prove it by attaching an unauthorized meaning to the language of Dr. Paine and the address of the southern delegates. The object of Dr. Paine was to show that as *final* action would not be had in the South until "*that part* of the report requiring the action of the Annual Conferences" had been submitted to them, it would allow the South ample *time* for calm reflection and preclude the evils of hasty action. There is no allusion, however remote, that the Plan would not be valid without the consent of the Annual Conferences, as groundlessly assumed in the report. The southern delegates, having no doubt of the necessity of the measure, were anxious to secure the proposed separation as amicably as possible, and accordingly said in their address, "upon a *declaration* made by the southern delegations setting forth the *impossibility of enduring* such a state of things much longer, the General Conference, by a very large and decided majority agreed to a *plan of formal and pacific separation.* There were those found among the majority who met this proposition with every manifestation of *justice and liberality*, and should a similar *spirit* be exhibited by the Annual Conferences in the

North, when submitted to them *as provided for* in the Plan itself, there will remain no legal impediment to its *peaceful consummation.*"

Two things are worthy of note in this extract, both of which are kept out of sight in the report. The first is, that the great object aimed at in the Plan—that is separation—should be effected as peaceably and free from excitement, as possible. And 2d,—should the Annual Conferences concur in the change of the sixth restriction when the question should be "submitted to them *as provided* for in the Plan, then it was quite certain the measure might be consummated 'peacefully' and without disturbing and agitating the church." If, however, a "similar spirit" should not prevail in the northern Conferences, then it would create a legal difficulty connected with the property question and the "consummation" of the Plan would not be "peaceful." The meaning of the delegates was, that *peace* or *war* in carrying out the Plan, would depend upon the temper and action of the northern Conferences. Other parts of the address show incontestibly and to the apprehension of every one, that the delegates did not mean what the report affects to think they did. The sense and manner in which the report insists the Plan was a mere "peace measure," beside being unsupported by a particle of evidence, cannot fail to strike every reader as perfectly absurd. How a measure, never to be realized—not intended by the parties to be carried into effect—a mere abstraction creating no rights and offering no reparation for wrong, could bring peace, will no doubt be beyond the comprehension of most of our readers. It was in fact regarded as a peace measure because intended to *separate* the contending parties and place them in different folds, where their

conflicting opinions and interests would not, as heretofore, keep them in a state of quarrel and dissension.

The assertion of the report therefore, that this peace feature was one of the conditions of the deed of separation, must be rendered harmless by its own absurdity, not less than want of conformity to the facts in the case. The report avers, that the Plan of Separation was adopted "to meet the disastrous results of a violent dismemberment of the Methodist Episcopal Church." That this statement is entirely devoid of even the appearance of truth, who can doubt after reading the Plan, in which the contrary is apparent at every step. The Plan was adopted to *prevent* such dismemberment, and establish a church, South, to which the best of the North might attach themselves "without blame!" What a "refuge" of sophistry and perversion, is this same report! We are next told "that to provide for or sanction a division of said church, was no *part* of the intentions of said General Conference." We wish to have as little to do with the motives and intentions of the adverse party as possible, but that they did both provide for and sanction a division of the Methodist Episcopal Church, is a fact we have compelled *them to prove* in this Appeal, in a way not likely to be questioned by any body not interested in the denial of it. We shall, at least, give them the character of good witness against *themselves.* The world shall know what their testimony is worth, they themselves being witnesses. It shall be known and read of all men, how they say and unsay, affirm and deny, with regard to the same things at the same time. The reader is already in possession of their evidence in their own words, and we leave him to reconcile it with the reckless, arrogant denial of this report. The report is

correct in assuming that the Plan of Separation has "three distinct, fundamental conditions," but it has mistook and misstated two of them, and given the third a position and relations which destroy its character.

The first condition of the contract was "should the Annual Conferences, in the slave-holding States, find it necessary." The whole character of this condition is destroyed in the report by what we regard as the perfidious and dishonorable assumption of right by the late General Conference, to judge of this necessity themselves. "In the light of four years' history" we show them to be the "covenant breakers," and guilty of the charge they bring against us. The second condition of the Plan was, that authorizing the division of the church as they did, should we find it necessary, and bidding us go with the high warrant of their approval, they pledged and conditioned, that should we go they would observe the "strictest equity" with us, in letting us have our equitable portion of the church property. This second condition however is entirely overlooked in the report. It had doubtless been discovered, "in the light of four years' history," that northern interests would be better promoted by making a "difficulty" of this condition! The third condition of the Plan was, that *both* churches, along the nominal line of separation, should *unite* in fixing the line permanently, by adherence, North and South, and should *then* "reciprocally" abstain from any disturbance or invasion of each others territory. It has been shown that this condition was universally observed by the South, and with equal universality denounced, scorned, and violated by the North. These are the only conditions of the Plan, and while our accusers have been guilty of their violation in all possible forms of trespass, we shall be able

to furnish legal proof that we have acted, as a church, under the full and fair protection of law, from first to last, although in some instances we may have erred.

The report assures as a "fact," that the General Conference of 1844, "provided for the *final ratification* and *use*" of the Plan of Separation, "in case the predicted separation should occur." All this is sheer fiction in itself, and relatively to the Plan, in any thing but "fact." The only ratification known in the Plan, connects with the "contingency"—"should the Annual Conferences, South, find it necessary." The only right or power of ratification conceded to the Annual Conferences, was the relinquishment of a supposed control of the church funds, enabling the General Conference, their own only and "supreme" representative body, to pay a debt they had contracted in behalf of their constituents in adopting the Plan of Separation. The Annual Conferences have dishonored their representatives it is true, by refusing the means of payment, but to represent them, as the report does, as refusing to ratify the Plan of Separation, when the whole of it, except its financial feature alone, is *expressly excepted from* their control, implies a temerity of assertion as difficult to vindicate on the score of sound logic as by the rules of morality.

Among the unfair pretensions and logical imbecilities of this notable report, is an elaborate attempt to show that the southern delegates were bound to submit to all the wrongs inflicted by the North upon the South, without any reference to redress or indemnity connected with the past or future, and that it was our duty to preach submission to the people and urge them to farther and continued forbearance. We need not remind the reader, for the evidence is before him, that the opinions and convic-

tions publicly and repeatedly avowed in the declaration and protest, and in debate, had shut us up to a different course. We believed the majority guilty of lawless wrong and outrage; we believed it would be unsafe and suicidal for the South to submit; we regarded it as our duty to press this state of things upon the notice of the South, and we did so accordingly. There is not a thought or suggestion in the address of the southern delegates not found in the declaration, protest, and debates. Nothingis added; there is nothing new. Attention is simply called to a great legislative issue, and we simply invoke the people to reflect upon it, weigh the matter well, and decide accordingly. We appeal to the documents quoted, in proof that all this was done with as much moderation as was consistent with the point and firmness demanded by the "emergency." We regard the report as uncandid and unfair, because it avows that we were expected to do what we had directly and repeatedly declared we could not and would not do unless the majority changed their position. We have admitted that, until the reply of the majority rendered adjustment impossible, we were not without hope that we might live without separation, trusting that, should the majority not recede, the Episcopacy or Annual Conferences might interfere, so as to correct the outrage and injustice of which we complained. Nothing of the kind occurring, however, in remedy of the evils brought upon us by what we believed to be lawless oppression, we saw no reason why the question should not be met and decided at once. If it had been the object of the report to let this whole matter be judged of in the light of truth and fact, why this staid effort to impress the public mind with the belief, that while they were anxious to defer to the judgment of the church and the de-

cisions of time, we were in indecent haste to have conclusive action? The report not only presents a one-sided view of the matter, but it reverses the truth of history in the case. We united, to a man, with the whole bench of Bishops in urging upon the majority the importance of postponing all action upon the merits of the controversy, and referring it to the judgment of the whole church for final determination. But the very men who arraign us in this report for not deferring to the people sufficiently, are the very men who brought on the "emergency," and in the midst of the crisis, despite the remonstrances of the Bishops and the whole South, would not wait an hour for the people, but hastened with boisterous despatch, without pause or remorse, to lay our prayer upon the table, and spurn from them the entreaties both of the Bishops and the South! Our defamers are the men who would not, who *dared* not trust the question in the hands of the people. They are the men who *distrusted* the people and put *dishonor* upon them, when *we* and the *Bishops* proposed them as the *umpire* of the controversy! We deferred to the people and offered to bow to their judgment, but our accusers *declined the arbitration*, and preferring their own judgment, decided the question themselves! And what did we do? When actually constituted the sole judges of the necessity of separation, with the full "constitutional" right, as they told us, to do so before the adjournment of the General Conference, just before separating, we asked to be released from the responsibility and to let it rest with the Conferences we represented; and then instead of hasty action, we appealed the question to the people and left it in their hands twelve months before, in accordance with their nearly unanimous judgment and that of the Annual Conferen-

ces, we proceeded to settle the great question thus long and publicly pending! Can the reader help perceiving how the charge of the report recoils upon our accusers, and involves them in all the blame and discredit they have so deceptively sought to attach to the South? The report charges the southern delegates with giving "the full weight of their influence to counteract the pacific measures which they had asked at our hands and for which they had voted." The idea intended to be conveyed by the use of this language, must strike the reader as additional proof of the deceptive and guileful character of this report. One knowing no better, would suppose, from the language and assumptions in different parts of the report, that the Plan of Separation originated with the South, and was proposed to the North, in diplomatic form, as the *means* of *preventing* separation. This idea, ridiculous as it is false, comes up in the report in various forms, and toward the close appears in *rubric*. The assumptions of the quotation are both untrue. The Plan originated with the committee of Nine, of which only *three* were from the South. The Plan therefore originated, in every parliamentary sense, with northern men. The North had a two-thirds majority in the committee and also in the Conference, and the measure, in both cases, was carried by northern votes. It was not directly or indirectly, in any allowable sense, a proposition from the South. The South approved and voted for the measure it is true, but so did the North, and with nearly equal unanimity.

It is moreover true that the Plan was not expected—was not intended as a peace-measure, apart from the *action* it authorized on the part of the Annual Conferences in the slave-holding States. How in the name of common

sense could it be? Was it supposed that five thousand Methodist preachers, South, and nearly half a million of members, were such a set of imbeciles as to be satisfied with a statement of what the North was willing to do in the mere *hypothecation* of a division of the church, but would not do, nor yet think of doing, should the division be thought of as *real* or *actual?* As a measure not to be realized in action, what does it amount to—what does it mean? Is it sheer farce, or is there mockery in it? We were told by the very authors of this report, that amicable division was authorized to prevent dismemberment without the warrant and sanction of law. The report represents that the Plan was adopted to meet the consequences of *unauthorized* separation! If this be not its meaning, it will certainly not be difficult to prove that it has none. After separation, what right had they any more than the Pope or the Shakers to authorize us to do, or forbid our doing? Was it meant to say, if you go with our consent we can do nothing for you, but if without it, here is what we propose to do! The reader will be kind enough to imagine their answer.

In allusion to the date of the address of the southern delegates the report says, "the act of separation was consummated, as we have already seen." If so, why not by the declaration, by the protest, by the Plan itself, by the debates, in all which the same language is held as in the address? Can that cause be a good one requiring such a mass of sophistry and mis-statements to sustain and recommend it! The report, increasing in audacity as it draws toward a close, charges the southern delegates with a resort to "revolutionary means" before leaving New-York, in 1844. Revolutionary or not, we present the warrant of General Conference law for all we did, and

show that we were authorized *then* and *there* to proceed much farther than we did in our address to the southern church. It is true we did not do what the majority did, if this report is to be credited, purpose one thing and say another. We told the majority plainly that they must make reparation for the wrong they had done us, or attend to our *claim of right* to have a separate church jurisdiction beyond their control. They assured us that by acceding to the latter was the only mode in which they could offer reparation, and we accepted the tender in the shape of the Plan of Separation. This is the only "revolution," and they are the authors of it, for they were the majority to the full extent of more than double our numbers.

The report asserts "that the southern organization was consummated in direct contravention of the Plan proposed to meet the *results* of separation." No plan ever was proposed to meet the results of separation. We must suppose either party to have had more sense and virtue than such a supposition allows. Was the Plan a bribe or premium which could only be available to the South, in the event of separation *independently* of its authority! Such is the absurd doctrine of the report throughout; whereas the Plan was adopted in the shape of a special law, where both parties were together in one constitutional body, as a covenant engagement to be kept by both parties, should *we* decide on separation. It was authority to act if we saw proper, not to sanction unauthorized action after it had taken place. It was not to meet unlawful results, but to accredit as lawful and "constitutional" a course of action, which we believed we should have valid and urgent reasons for resorting to. If this was not the aim and purpose of the Plan, we can only regard it

as a strategetic fraud, intended to mislead and entrap, with a view to the accomplishment of ulterior and unworthy purposes. If we admit the premises, who can avoid the conclusion? The reasoning of the report assumes that no right of action accrued to the South, in virtue of the Plan, without a state of great "excitement" in the South, "produced" by the "acts" of the General Conference of 1844! The report blindly affirms that this is the "first great fundamental condition" of the Plan. It so happens, however, that what is here paraded as the most important condition of the Plan, is not a condition of the Plan at all, nor is it alluded to either in the Plan or declaration. Results of much graver import are contemplated.

The widely diffused fanaticism of Abolition and anti-slavery everywhere blending in the northern division of the church, with political movements and projects avowedly hostile to southern interests and influence.—The frequent and reckless agitation of these anti-christian topics in the local and general councils of the church, disturbing and distracting the quiet and action of the entire body—introducing into its practical creed and liturgy, subjects and principles unknown to the Bible and alien to its doctrines and precepts—insisting upon tests of piety and conditions of church membership, manifestly without warrant from the scriptures, and at variance with the immemorial opinions of the church.—The unprincipled violation of law in the case of Harding, in 1844; (who, by the way, *with all his slaves*, is now an *approved* presbyter of the Methodist Episcopal Church, within the limits of the Baltimore Conference!)—The abuse of right and defiance of law in the case of Bishop Andrew, showing that no man's character or rights could possibly

be safe in the keeping of such a party, to say nothing of the more comprehensive interests of the whole southern division of the church thus assailed and disturbed by the unscriptural and unchristian church policy to which we call attention.—The revolutionary movement too, in the General Conference of 1844, in the utter prostration of the *Episcopal function*, in the theory of Methodist church government, and the disingenuous attempt at self-vindication by the libellous imputation that the South had adopted the *Jure divino* theory of Episcopacy: when, in every variety of form, we had explained ourselves as merely contending for the rights secured to our Episcopacy in the peculiar system of our government, *as a third order* —not of New Testament *ministers*—but of *rulers and officers, specially consecrated* for the *special purpoess* implied. The perverse misrepresentation of our views, however, was but a trifle compared with what we believed would be the practical workings of the new northern theory. And how have our fears been realized. Already the Episcopacy, North, is *struck down.* Its once high executive force in the administration,—as a branch of the government—is prostrated. Bishops are no longer *such* in the Methodist Church, North. In the progress of reform, it has been ascertained, in accordance with the *Hamlinean* theory, that they are only needed as *Chairmen!* Shades of Asbury and McKendree, what will all this end in! To all this—to all these deeds and symptoms of defection and disorder, the South stood opposed to a man from the first. No one hesitated. Against these and similar manifestations of capricious change and innovation, we *protested.* Upon them we founded our brief put explicit *declaration.* In view of them we gave notice of what would follow if the

North persisted in the course suggested by their several revolutionary movements. On these general subjects the southern Methodist mind was made up. It was not necessary that any should "*take the lead.*" We knew what opinion and conviction were, in the South. The attention of the church, south, in regard to its rights and wrongs, connected with slavery, had been critically directed to an examination of the whole subject, by the report of the General Conference of 1840. By that they were willing to abide, but resolved at the same time, that less than that, would be ruinous to southern interests. We knew that no excitement, no agitation, was necessary to decide the South.

When the declatory law of 1840 was departed from, by the majority in 1844, the Rubicon was passed and the question settled; and we told them so in every form and all plainness of assurance and remonstrance. This is the "state of things in the South," alluded to in the declaration. Excitement and agitation had and have nothing to do with the question, except as merely incidental and accessory to more controlling reasons and causes; and the puerilities of the Pittsburgh report on this subject, may be dismissed without farther notice, as it must be obvious to the reader, that without a particle. of the "excitement," and in the absence of every degree of "agitation" made by the report, essential to the validity of the Plan, the full and undoubted right to separate, accrued to the South on entirely different grounds. Hence in this, as in preceding instances, we find this report utterly at fault in its facts and reasoning, and the true merits of the question kept out of sight. In different parts of the report, it is urged that the southern ministry might have quieted the southern mind, so far at least, as

to have prevented immediate and decisive action; and it is repeatedly insinuated, and indeed asserted, that we were pledged to this, and that the Plan become a nullity for want of such a course of submission and forbearance on the part of the ministry. We have seen, however, that the reasons and grounds of action with the South, went beyond any such view of the subject, and embraced topics and interests of higher and graver import. We were under no obligation to submit to northern encroachment, until we lost all influence with the South, or were driven out of it. Nor were we understood to mean any such thing. The report distorts and exaggerates. The attention of the reader is studiously directed from the true issue. The language of the Plan explains our meaning fully in its construction—"the objects and purposes of the christian ministry and church organization cannot be *successfully* accomplished under the jurisdiction of the General Conference as now constituted." By those reading this mendacious report of the committee of forty-six, the impression would be received, that unless expelled the South—unless resisted by popular violence—if so fortunate as to escape mobs and Lynch-law—if allowed to live at all, we were bound to submit and suffer on! Escape and immunity with regard to these, seem to constitute, in the judgment of the Pittsburgh General Conference, the "objects and purposes of the christian ministry and church organization," and not to suffer the one would seem to be the "successful accomplishment of the other!

The concluding paragraphs of the report add nothing to its general matter, and will be found to be a mere repetition of its "so called" facts and inferences. The reader has seen enough, in detached parts, to judge of its claims

to truth and fairness as a whole. So many of its assumed facts and boasted inferences have been disproved and overthrown by documentary evidence, having the sanction and signatures of the very men who put it forth, to say nothing of other modes and forms of proof, that we have very little fear that any permanent influence will be exerted by it materially injurious to southern interests. To those unacquainted with the subject it may appear fair and plausible; but to those well informed with regard to it, we are confident it must wear a very different aspect. We had anticipated so large a share of its contents in the earlier part of this Appeal, that no very formal review of it can possibly be necessary; yet as it has claimed public attention with so much confidence and such an imposing array of pretension, we have deemed it necessary to expose and discredit the most material of its assumptions and conclusions, by way of showing, that at best it is very questionable authority for the truth or fairness of anything found in it. It is a very tolerable condensation of the northern style and train of reasoning and argument on the subject for the last four years; a kind of *Abracadabra* of all that has been relied upon in justification of the treatment and conduct of which we complain, and will no doubt be regarded as the *vade mecum* of the party, as long as it will answer the purposes of its laborious concoction, and certainly no longer. A few additional items, and we have done.

On the subject of the inconsistency of the late General Conference in its action with regard to the South, we have furnished so many examples and proofs, that farther specification and evidence would seem to be entirely unnecessary; and yet the subject—our examples and proofs are by no means exhausted. Look at an Annual Con-

ference, voting an official declaration of the unconstitutionality of a law of the General Conference of 1844, and the General Conference of 1848 officially approving the act! This same Annual Conference of course, at its next session may vote the last General Conference a set of rogues and fools, and the next General Conference will be compelled by the law of precedent to submit, as the General Conference of the Methodist Episcopal Church has formally endorsed the right of an Annual Conference to declare its acts not only unconstitutional, but wicked and silly, and finally null and void!

Look at a Presiding Elder resisting a Bishop in the vital affair of a pastoral appointment contrary to the Bishop's order, and *whose right alone* it is to make such appointment. See an Annual Conference taking sides with the contumacious subordinate, against the Bishop; and the General Conference endorsing the action of the Annual Conferences as correct! What motive, not crooked and sinister, could induce a General Conference thus to disgrace itself by proclaiming the nullity of its own legislation! Can there be any effective government in the midst of such confusion as this? All is the whirl of revolution. The difficulty is upon them, with no Hercules to crush the serpent. The public mind, when informed, cannot fail to be forcibly struck with the fact that the late General Conference has tried in various ways to make the impression, that the only difficulty in the way of an equitable division of the church property was the barrier interposed, as they allege, by the constitution, and hence, they say they are doing all in their power to remove it, whereas the fact is they have done nothing. They say to their agents, *if legal counsel advise it*, they may propose an arbitration. They had, however, cau-

tiously managed to prevent a "two-thirds" vote of their body, after declaring that a "three-fourths" vote had *not* been obtained in the Annual Conferences, so that upon *their own showing*, legal counsel *could not* advise arbitration as constitutional! Was this fair? By what process of reasoning can it be shown to be honest? Was it not enough to have deceived us without deceiving the public in addition; for every man among them knew that no step had been taken toward overcoming the constitutional difficulty. The most charitable construction that charity itself can put upon their conduct is, that they intended at least to hold our funds four years longer, if not forever; for should the Annual Conferences consent to arbitration, it does not begin to remove the difficulty they urge without a "two thirds" vote of the General Conference, which body does not again meet until 1852! By their own statement of the case, the movement was avowedly a constitutional one, and as by the constitution no such movement can be made by the General Conference without a "two thirds" vote, it follows that what they published to the world as a movement to this effect, is not true,—the General Conference did not recommend to the Annual Conferences any removal of the constitutional restriction, in any form whatever! We have been mocked, and the public deceived. By their own declared action the General Conference did nothing at all toward a settlement of the property qnestion; and we call attention to the fact, and expose the deception, as an additional illustration of the system of policy adopted by the North to deprive the South of her rights.

The refusal to fraternize with the South, we regard as a matter of but little importance, beyond the gross inconsistency in which it involves the North. It cannot ope-

rate to the injury of the South. Nothing is lost worth retaining. Their reasons and motives, should they ever agree among themselves as to what they really were, are not likely to command much respect out of their own pale, if there. Even there the dispute is already working mischief. One section of the party affirms and another denies, and the result is neither is believed. They show themselves unworthy of confidence by letting it be seen at every step that they have no fixed principles of action. We have shown, side by side, resolutions of the supreme council of the church, the one endorsing a dismemberment of the Methodist Episcopal Church in so many words, and the other gravely announcing that the General Conference has no such right or power, and never did—never can do any such thing of the kind, without the most shameful betrayal of trust. Dr. Ryerson, of Canada, said to the late General Conference, in behalf of the church he represented, alluding to the act of that body in 1828, "it was well known they had been *set off from* the great Methodist household." Dr. Green said "you were pleased to consider us of age, and to *allow* us, under the circumstances, *to act for ourselves.* We have not considered the *separation* so much an act of choice as of necessity." The Conference heard this language without any mark of dissent or disapproval; and yet, only a few days after, they resolve, in direct contradiction of what they had previously resolved, and a week before publicly acquiesced in, that any and every such act of the General Conference is a "nullity," and that no division of the church can, with any show of right, either be authorized before, or subsequently sanctioned by the General Conference! Such want of right, too, is assigned by the General Conference as a principal reason why the North

cannot fraternize with the South; although, in other perfectly analogous cases, no such difficulty exists at all! It appears upon the face of their own proceedings, that the same reasons and motives led them to approve in one quarter what they condemn in another. They cannot fraternize with us, because of an unauthorized separation, as they falsely allege; but having declared the same thing in the same terms with regard to Canada, it interposes no obstacle whatever to the most intimate fellowship! Or, as Stevens, and with him a majority of the late General Conference will have it, let slavery be the true reason of their non-intercourse policy, and how does it better the matter? The law is the same in both churches, without the variation of a word, and the only difference in practice is, that the southern practice, as we have shown, is protected by law, whilst theirs is in violation of it; and the reader meets with the same absurdity and self-contradiction as before,—they condemn in us what they approve in themselves! Or, further, if it be urged that our travelling ministers hold slaves, while they restrict the right to local preachers, then the issue is, they maintain that christian morality allows a minister to be a slaveholder if he be "local," but if "travelling," the word of God condemns him, although as ministers they are every way equal, both belonging to the "Presbytery" of the New Testament! And we further involve them in the additional absurdity of denouncing southern ministers for owning slaves, while northern ministers who *once did own them*, and placed it forever out of their power to do anything toward their well being *by selling them* into perpetual slavery, are not only cherished in the bosom of the northern church, but are distinguished as excellent abolition saints, and in some instances the very Pharisees of the

sect! Our accusers know all this, and they know too, that we can furnish the proof whenever it becomes necessary, and our object in calling attention to it is not in any way to affect individuals, but to show the dishonest inconsistency with which we are hunted down by the church, North, on the subject of slavery. Every view of the subject we have been able to take, but confirms us in the conviction of their inconsistency and want of settled principles. No one affects to question that in the South much evil and abuse, requiring correction and remedy as early and effectually as possible, are found in connection with slavery. The same evils, however, *in principle*, and not materially variant in form, exist throughout the North. In the South, *individuals* have the ownership and control of slaves, and in numerous instances, as men are found depraved and unprincipled, as is the case everywhere, the rights of master and slave are shamefully abused and trampled upon. In the North the enslavement of a portion of the population is of a different kind. There *society* is the great *slave-holder*, and millions are crushed and victimized beneath the weight and cruelty of its Juggernaut oppressions, without appeal or remedy of any kind. The enlightened student of human nature and the Bible will perceive but little difference in the moral aspects of the one system and the other. The Bible, in fact, after the most distinct recognition of both systems, as extant and prospective arrangements of social organization, without giving preference to either, simply legislates for the due regulation of both, so as to repress as much evil and secure as much good as possible, without any intimation of right or warrant on the part of the church to meddle with the organic structure of the civic social system. The point we make, however, is that with both these systems

before them, with their attendant evils and abuse, and these by no means unequal in comparative magnitude and enormity, our accusers lose sight of the evils at home, and assail us for enduring a state of things, the moral character of which so strictly resembles that of which they themselves form a part, without complaint or remonstrance! Such inconsistencies, in our judgment, must result from prejudice, passion, and policy, rather than principle and conviction. The *grave inconsistency*, however, is between the course of our adversaries and the instructions of the Bible. They refuse to fraternize with us on account of our connection with slavery; overlooking perhaps the irresistible inference that, in doing so, they *reject and denounce* the christianity of the apostolic churches. It would not be difficult to prove that when these were planted and watered by inspired messengers, the slaves of the civilized world quintupled all other classes put together. It is equally susceptible of proof, that converted masters and slaves, under apostolic oversight, were found together in all the churches; and all who have ever read the New Testament, know that there is not an intimation in it, that the abolition of slavery would in any way, promote the interests of christianity! How unfortunate the discrepancy between the creed of our accusers and decisions of the New Testament (not less than the Old) on this subject! In this view of the subject and under such circumstances, we cannot much regret the refusal of the late General Conference to recognize us as a branch of the Wesleyan Methodist family. We are rather glad, in fact, that they did so, as the apostolic churches and christianity itself are found in the same condemnation. We content ourselves with knowing and making it known, that *in view of our*

separation aud independence, as they have since taken place, the General Conference of 1844,—a body greatly superior in numbers and experience, and we believe in wisdom and worth,—declared us to be a legitimate, recognized branch of the great Methodist family; a church to which the best and highest of the northern fold might attach themselves "without blame." This is quite enough. We can afford to do without the "fraternity" of the General Conference of 1848. We must have to do with them in other respects. They affect to think lightly of the church, South, and yet show by all their movements, that they feel it to have been no ignoble banding, and it remains for us to let them know that we have a life, a pulse, and a heart of our own; and that, in the proportion it may become necessary, we hope to be able to live without them.

Judging them "in the light of four years' history," we have little to expect of them but injustice and unkindness, and, if we live at all, we perceive it must be in despite their attempts to destroy us. Be it so, we shall abide our fixed purpose, adhere to simple duty, heeding, with God's blessing, the counsel of our fathers, and trying to complete the work they left us to do.

Every indication on the subject, North, goes to show that the church has undergone an entire revolution, both in opinion and feeling on subject of slavery, within the last few years. 1st.—A bold movement has been made to change the general rule on the subject, so that by fair construction, the rule may be made to condemn *domestic* slavery, as it now does, and was originally intended to condemn *the slave trade.* 2d.—The 10th section of the Discipline, in the shape of a conservative law on the subject, has been denounced by Annual Conference au-

thority, as worse than nothing and unworthy of execution, and it was accordingly avowed at Pittsburgh, privately, that it was not worth while to disturb the Baltimore Conference, as "in less than twelve years there would not be a slaveholder in the church within its limits." 3d.—The law, as it now exists, expressly defers to civil authority, as superior to ecclesiastical regulations on the subject; but at the late General Conference *all law and civil polity*, in any way recognizing the rights of slavery, viewed as a social organic arrangement of society under state protection, were denounced as a "curse" not to be endured! Witness the speeches of Tomlinson, Curry, and a dozen others, nearly equal in rancor and malignity. 4th.—The only authoritative exposition of the law of slavery ever given by the General Conference, —that of 1840—showing the highly conservative character of the law—what it allows and what it forbids—but always *subordinate* to civil authority—the law of the land,—this great rule—the late Abolition General Conference abolished; and with it, in every practical sense, went the tenth section itself, to give place, after some decent show of delay, to something better suited to the plans and purposes of the party. 5th.—In proof of this change, the reader will not fail to note, that *all the most important offices and trusts* of the body were filled with men whose *Abolition* principles and interests are becoming more and more notorious every day. 6th.—If this were not so—had this not been known and relied upon, is it to be supposed that the conscientious agitators of the church for the sixteen years preceding would have been silent, and no petitions and memorials presented to the body in furtherance of their political religionism. These restless disturbers of the public peace knew their

work was accomplished to an extent that would allow them to *pause.* They knew the men. There was nothing to fear from the General Conference of 1848, except that the recently *abolitionized West* might be too rabid and headlong for the cooler courage and more disciplined cunning of the northern wing of the party. 7th. —The distinction is now fairly made between the past, and the present, and future. Formerly the church was content to adopt "rules and regulations" respecting slavery intended merely to regulate the question *in the church*—subject to the control of civil authority. Now, however, the church, North, clearly declares her purpose to *legislate* on the subject, and carry out her purposes, with a view to its extirpation, irrespective of the laws and constitutions of the general and state governments. 8th.—Immemorial construction and action have given the old law the character of a "compromise" between the North and the South while together. This character is expressly denied to the law by the General Conferences of 1844 and 1848, and when connected with the repeal of the exposition of the law by the General Conference of 1840, amounts to an *entire change* of the law— to *new legislation* in fact on the whole subject, so that the law as it now exists, is a *libel* upon the avowed opinions of the Northern General Conference, or, more properly, the declared purposes and acts of that body are a libel upon the law. We have said to the North and the South—to all the world, we were willing to abide the law as we had always understood it, and as explained by the General Conferences of 1836 and 1840, by Bishop Hedding, by the protest, and the report on the southern organization; but as distorted and perverted by the General Conferences of 1844 and 1848—as liable to mean anything or no-

thing, as the chicanery and tergiversation of party and interest may suggest or dictate, it can have no place upon our statute book. And finally, as the General Conference, North, has, by the rejection of the authorized construction of the law, deceptively changed its character and prostituted its provisions to unlawful purposes, we give notice to all concerned, that so far from considering ourselves bound by any such construction, we regard it as a legislative fraud, releasing us from our pledge and restoring us to the rights of independent legislative action. This view of the subject becomes the more emphatic and urgent, when the fact is taken into the account, that large portions of the ministry and membership of the Methodist Episcopal Church, North, are not only pursuing a course directly injurious to southern rights and interests, but in direct conflict with the constitution of the United States and the laws of Congress, on the subject of slavery. They are denying and dishonoring, as well in terms as in action, the essential and expressly pledged conditions on which the slave-holding states entered into the confederation, and without which it is known they would not have entered. They are actively engaged in the systematic abuse and depreciation of the character and rights of southern citizens of the United States, constitutionally secured to them by the supreme law of our common country. They are extending countenance and encouragement to the abduction and escape of slaves, and unlawfully interposing obstacles to their recovery by their rightful owners. It is their avowed purpose, not only to disturb but to destroy the relation between master and slave. In view of the rights and securities of citizenship, their position is not only mischievous but dangerous; they are "evil doers." They preach sedition, and practice insubordination to

civil authority. And by how far every citizen is sworn to respect and support the constitution and laws of the United States, they are pursuing a course involving all the guilt of perjury and subornation of perjury, in addition to the high moral blame of acting the part of bad and dangerous citizens. Hence the right and the duty of resistance on the part of Southern Methodists. We believe a perverted, fictitious conscience, and wild, ungoverned fanaticism, have fearfully led the party astray. The revelations of Heaven, and the divine adjudications of Christianity are no longer heeded. They believe and teach what God has not revealed or taught—what his word most plainly disowns. This extra-divine light stands them in stead of other faith and other virtues. They have found a "north-west passage" to truth and Heaven. The *old*—the *yore* of christianity—the trumpet of Sinai and the lessons of the Mount—the faith of Paul and the morals of John, have given place to the greater "availability of modern progress." The evils of which we more immediately complain, are but accidents of the true—the real issue. *Want of reverence for the Word of God*, is, in our judgment, the great productive source of the evils we depict. Whether this disease is at its height—whether the pestilence has spent its force—or we have yet to realize the dog-days of their violence, are questions we are unable to answer. We have repeatedly informed our readers, that remarks of the kind we are now making, are not intended to apply to the whole of the Methodist Church North, but to those who are allowed *officially to represent her*. We speak of the church as represented by her rulers and public organs, since May, 1844.

We invite attention to another view of the subject.

The General Conference, as a party to a contract, and subsequently to a dispute growing out of it, assume the right, and in fact, declare themselves to be the *sole arbiter* of the dispute, and, as the readiest method of settling the dispute, they declare the contract void, and then claim the approval of public opinion, by saying to the injured party, if you persist in urging your claim, we may perhaps consent to submit to arbitration! Were the party to whose conduct, in this as in other instances, we except as an outrage, to regulate their business transactions with others, by the principles so manifestly governing them in relation to the South, what would be the effect? Is there a bank, company, corporation, or capitalist, in New York or Cincinnati, that would not become watchful and guarded in all business intercourse with them; if indeed they could be induced to have any. Were they to have any, what would be their security without prospective resort to a legal enforcement of contracts? For example, the Book Agents are known to have become real estate jobbers, using the "proceeds" of the Book Concern to purchase grounds and put up buildings to let, rent, and thus make money. It is also known that they pay large sums annually, not recognized by law, in the shape of traveling expenses, extra-allowances, and so of the rest. No law of the church, except in a few instances, perhaps, a resolution of the General Conference, authorizes such disbursements; and suppose the Annual Conferences, as they are in direct contravention of the sixth restriction, were to interpose, as in the case of the *bond* of the General Conference, given to the South, in 1844, with 147 signatures attached, (by the call of yeas and nays,) and *repudiate all debts* contracted for such purposes; or require that the money thus expended

should be replaced whence it was taken, for distribution as required by law among Annual Conference claimants, would not such a movement destroy the entire commercial credit of the Book Concern at once? And yet all this, and more, is done with less right than the General Conference had, to pledge the South a *pro-rata* portion of the vested funds of the Book Concern, should they see proper to become "a distinct ecclesiastical connection," as authorized by law in twenty different forms of expression. And as this very conscientious adherence to the stringent exactions of the restriction is urged in bar to paying us our admitted dues, they will, of course, expect to be held to a strict accountability for all such disbursements. The Book Concern is owned by the great body of traveling ministers. They have vested the control of it in the General Conference; and the Annual Conferences, having delegated their right of management to the General Conference, have no control of any kind, beyond a *check* upon the *appropriation* of the *proceeds*—that is the net annual profits. Beyond this check or "restriction," the control of the General Conference is absolute, as shown by the restriction itself, and their responsibility becomes the more direct in consequence. The principle of strict construction, as now maintained against the South, cannot be sustained in equity, and, if persisted in, must destroy the Book Concern.

They define their abolition position and propensities by disturbing the border only. Why, after destroying the Plan, do they most inconsistently confine themselves to the northern border of the southern Conferences? Why do they throw away nineteen twentieths of their reclaimed territory? Was it to prove how honest and conscien-

tious they were in declaring that duty called them "into all the world!" Their consciences would not allow them to keep their word with the South, because they could not reach "the ends of the earth" in that direction with the glad tidings of political anti-slavery, and after informing the world that the only obstacle is removed, instead of eagerly seizing upon the whole field, they content themselves with a narrow strip of border, where it was doubtless supposed a portion of the white population would not be without northern sympathies, and the black could be readily induced to take shelter in a northern fold. Hence they establish a few nominal Conferences on the border the more successfully to disguise their schemes of invasion and agitation, and by way of excuse for having their spies on southern territory to furnish the necessary *material* for agitation and abuse. Accordingly the falsehood is published to the world, that the entire state of Kentucky, without a word of exception or qualification, belongs to the Ohio and Indiana Conferences, when *not one thousandth part* of either its territory or population can be said to sustain *any* ecclesiastical relation whatever to either of those Conferences, any more than Ohio and Indiana can be said to belong to the Kentucky Conference! The South has double the number of adherents in Ohio that the North has in Kentucky; and yet, would public opinion tolerate in us the falsehood of publishing that the State of Ohio belongs to the Kentucky Conference? Such attempts at deception are, in our judgment, utterly irreconcileable with any virtue belonging to the Christian character.

The same remarks and reasoning apply to the beggarly deception attempted to be practised in the instance of their new Missouri Conference. To quiet and flatter

the people of Western Virginia, they establish a Conference of that name. A Western Virginia Conference, with the city of *Wheeling*, the *capital* of Western Virginia, detached and held in bondage to a northern anti-slavery Conference, lest Wheeling, a populous and thriving city, and naturally the heart of the country embraced by the Conference, should exert an influence by means of her various important relations and resources, true to *Southern*, rather than subservient to *Northern* interests!

What other motive can be assigned for such a movement? Who can fail to perceive what was the real policy? Wheeling, naturally at *the head* of every thing connected with public opinion and enterprise in Western Virginia, could not be trusted in the new Conference, but, with other parts and points in Virginia, must be held in leading strings, as vassal dependencies of a northern Conference, although on southern soil! It is not for us to *feel*, but merely state the degradation. We are not authorized to speak for others. The facts, indeed, speak for themselves. But why, we repeat, did the Pittsburgh General Conference confine their proposed operations to border sections, as Kentucky and Missouri? They assign as a high moral reason for destroying the Plan of Separation, that they could not rest—that they were restricted in their "mission," and must "go out into all the world" They accordingly destroy the Plan—declare their former rights, territory, &c., reclaimed, but make no provision to operate in any section of the South, except along the border. If they allege, it was merely their object to supply the half dozen or so societies they had in Kentucky and Missouri, then why assign the reason above, as the ground of action, when, in truth, it was no motive of action with them at all? It is very evident,

we think, their vision and hopes are, for the present, confined to the border; and it admits of serious doubt whether they will ever extend their efforts beyond, or indeed have had any intention of doing so. What they resolved and provided for, is no indication of what they will do. Rare visions of gain and conquest floated before them, at the late General Conference. The time and occasion had long been looked forward to and bided as destined to work fearful mischief to the South, and, accordingly, abuse and denunciation of the South became with the party a service and a dignity—all "pursued the triumph and partook the gale," and large and showy arrangements were made for future *border* operations. With "nearly three thousand" disaffected southern dissentients,—with here and there, at convenient points, an anti-slavery chapel or abolition meeting-house, south of the line — with a supply of abolition preachers, teachers, editors, agents, and adventurers, seeking place and influence on southern soil, and to be sustained by southern capital—with such means and appliances at command, they could not but feel that they had much in their power, so far as the border is concerned—to say nothing of the *accidental* aid to be derived from well-organized companies and bands of northern "men-stealers" and abolition thieves, swelling their numbers and augmenting their forces in the shape of stolen slaves and runaway negroes, of which the demonstrations have been more numerous and formidable, since the late Pittsburgh General Conference, than at any former period during the same length of time, in the history of the country. The infamous business has certainly revived and extended fearfully of late; and be the causes what they may, they can hardly escape the aroused attention and retrib-

utive feeling of the southern border more immediately affected by the lawless depredations of this class of thieves and robbers. We sincerely hope this whole matter will be re-considered by the northern church, and that they will not act upon the plans of inasion, resolved upon by the late General Conference. If they should attempt to carry out the measures we are deprecating, they must expect to be met and treated as they deserve. We beg them, however, in casting their covetous gaze upon the South, to look well to the gloomy rear claiming attention behind. All, we think, will agree that their charity, however diffuse or fervid, can be much more advantageously employed at home, than by the obtrusion of its wasted offal upon our southern border, where it is neither desired nor needed.

The reader is in possession of our views with regard both to the imbecility and the wrong of the paraded act of nullification, respecting the Plan of Separation. We have seen, in a variety of lights and aspects, what it amounts to. The *pledged faith of the supreme council of the church, in the shape of public law*, allowing us to separate peaceably and become independent, should we "find it necessary"—"a contingency," says Bishop Morris, in his letter to Mc. Murry, "which has *actually transpired*," allowing Bishops and ministers of every grade to join us "without blame," assuring us that northern "border societies, conferences, and stations," should unite with southern in the required duty of "adherence," so as to establish a settled boundary between the churches; the definitive pledge that they would observe the "strictest equity" in the division of the common property of the parties; the express obligation to pay us our annual "dividends," until this was done according to contract. The pledge of

their influence and proper exertion with their constituents, the Annual Conferences, to secure the change of the sixth restriction, that no legal difficulty might be pleaded in bar to the division of the funds—all the terms and stipulation of a public charter—a plain legislative grant—these, all and every, disregarded and violated, and thus discrediting all claim to fair and honorable performance on the part of the North; these, we repeat, constitute really the only "nullity" in the case. Supposing, ostensibly at least, that they were conducting a very different ceremony, they proceed, in all the pomp of a funeral train, to give *their own word and honor*, as pledged in the Plan of Separation, and using their own appropriate language, "*the burial of a dog!*" And the fitting eulogy having been duly prepared by the committee of Forty-six, it only remains for Dr. Elliott to *chisel the drapery of the urn!*

When it was informally charged by individuals privately in 1844 that *some* of the northern delegates were pursuing a course, the tendency of which, if not the object, was to drive off the South as a secession and thus deprive them of their share of the church funds, it was denied and denounced as a most unfounded slander; and yet the General Conference had scarcely adjourned until the principal organs of the church formally attempted proof of the position that the South was a secession even then, and especially prospectively, and intimated in every variety of form, that we had no right to any portion of the church property, and nearly the whole church, as represented by its rulers and papers, has been trying ever since to deprive us of our share of the property. The opinion then expressed by a few southern men turns out, notwithstanding all disclaimers, to have been founded in fact, and is now demonstrated to have been literally true. They

have both wished and tried both to drive us into secession and to withhold our property. Who can doubt this after the exhibition of facts to which we direct attention in this Appeal? To our conception, the evidence of such design is upon the face of their whole conduct. Who could simply read the Plan of Separation, and suppose it possible that the South should fall heir to such a dispensation of events as that recorded in this Appeal? It is but too plain, but too certain, that strangely and unaccountably misled and influenced by the pride and perfidy of a few interested leaders, the Methodist ministry, North, soon after the General Conference of 1844, resolved not to abide their solemn engagements with the South, and began to arrange and plot how they might, with least damage to themselves, get rid of the covenant relations affirmed in the Plan of Separation, and betray the South into all the evils of unlawful secession. Let the simple, unquestionable facts of this Appeal, apart from our reasoning and inferences, be carefully weighed and examined, and we cannot doubt that public opinion will decide as we have felt compelled to.

As the letters and opinions of the Hon. Judge McLean have, in different places and various forms, been urged in support of the action of the late General Conference against the South, and knowing as we do that the views of Judge McLean have been essentially *misrepresented*, we deem it due to him and the interests involved, to publish the following sentence from one of his letters to the Chairman of the Board of Southern Commissioners:—"My wish is to *recognize* the South, as *the same church*, under a *distinct* organization, which results from their *local* institutions—that there shall be an *equitable division* of the church property, and that the *same feeling* of

christian fellowship and love shall be cherished, as before the separation." This language needs no comment. The Judge explains himself fully in a single sentence; and the simple truth in the case is all we wish to bring before the public eye. It is known to all that Judge McLean occupies no *partisan* position in this controversy, and that his only object has been to *mediate* an honorable adjustment of difficulties between the parties.

We have written this Appeal in our proper character of southern commissioners for the settlement of the property question, nor should we have departed from the business aspects of our commission, but for the fact that the late General Conference deemed it necessary to mix up the property question with *every other* that has arisen between the parties since 1844. This rendered it necessary that we should follow them, at least so far as to exhibit their true position in relation to the South. We are not aware of having omitted any material point. We have certainly not done so intentionally. We have written under a deep sense of injury, and in the language of rebuke rather than expostulation. For the reasons assigned, we have felt ourselves shut up to such a course. Heretofore in various forms for a term of years we have sought an adjustment of our difficulties with the North, on the ground of good will and brotherly kindness. We had been compelled to treat individuals with severity, but had uniformly and with fraternal kindness recognized the character and claims of *the church*, as a large and influential branch of the Wesleyan family. At their late General Conference, notwithstanding the ungracious treatment we had received from them, and the denunciatory language they had held toward us *as a body*, we officially tendered them, in the person of a beloved and

venerated representative—one they themselves had delighted to honor for near half a century—assurances of continued good will. This offer was most unceremoniously spurned and rejected. Dr. Pierce and the church, South, were treated as utterly *alien* from the commonwealth of northern Methodism, nor are we to this day informed of the true specific grounds of the rejection. It would seem the body had no common ground they could occupy against the South, and all being hostile, each individual was left to satisfy himself and others with regard to his own motives, as he might find it most convenient. All however found sufficient motive to refuse fraternity with the South, and treat us as unworthy of confidence; and we come in accordingly for perhaps a larger share of abuse and anathema than was ever before received by one christian body from another. We were not only denied the rights of an equal contracting party and common brotherhood—admitted and pledged in their own deed of settlement in 1844—but even common courtesy and the ordinary decencies of social intercourse, were withheld. And thus bound and ostracised, we were not only treated as if on our way to perdition, but our arrogant, self-constituted censors seemed disquieted lest it should not be known that they had sent us! Under these circumstances, consistently with self-respect and a strong conviction of the rectitude of our cause, to say nothing of what was due to public opinion, we have not only felt at liberty, but compelled by the nature and urgency of the case, to review the conduct of the northern Methodist Church for the last four years, in the light and language of *simple truth and justice.* Not permitted, by their own deliberate refusal, to meet and treat with them as brethren and christian kindred for the adjustment of difficult-

ies, we have availed ourselves of the only alternative means of defence to which we found ourselves reduced by the position in which they have placed us. Our assailants have chosen the ground on which we meet them, and cannot complain. They have placed in our hands the weapons we employ, and should it turn out that the effect of this course and policy has been but to avenge and betray, the fault and responsibility are their own and not ours. We sought a settlement in a different way, but were refused even a hearing. Before the offensive action of the Pittsburgh General Conference there existed no serious obstacle but *want of disposition* to an amicable adjustment of all difficulty. Now such an adjustment is not to be looked for, and, arraigning the representatives of the Methodist Episcopal Church, North, as defaulters to the plain and express engagements of a solemn conventional compact, annexed as a part of this Appeal, we shall cheerfully await the verdict of public intelligence and virtue.

We appeal from the decision of the late General Conference, in the full confidence that other men and other times will do us justice, and we ask no more. Our conceptions of truth and justice have led us to speak with freedom and severity. To this we have felt compelled, but with no wish to injure or afflict the adverse party, except as it may be incidental to what we have believed a just and truthful vindication of the character and rights of those we represent. We cannot expect the sympathy and approval of others in all we have said. Defending others rather than ourselves, we have indulged in a freedom of animadversion about which we should have been more careful in a strictly personal controversy. We have no wish to be regarded as without fault in the performance of the task assigned us, but at the same time we

have full confidence in the truth and justice of our Appeal, in view of everything material to the general argument submitted.

And finally, as it regards our *claims* upon the Methodist Episcopal Church, whether *moral* or *pecuniary*, we wish it well understood, that, meeting her other engagements with us as stipulated in the Plan of Separation, she will be at liberty to withhold her charity in any form she may prefer. We ask not alms—we sue for our inheritance.

H. B. Bascom.
A. L. P. Greene.
S. A. Latta.

DOCUMENTS.

NO. I.

I hereby certify that the annexed is a *true copy* of a Report presented to the General Conference of the Methodist Episcopal Church on Friday, June 7, 1844, and adopted on the next day.

And I further certify that the THIRD resolution, in the accompanying Report, was adopted by a majority of two-thirds of the General Conference, on a vote by Yeas and Nays, in which, of one hundred and eighty members, one hundred and forty-seven voted affirmatively, and twelve negatively.—(See Journal of the General Conference for Saturday, June 8, 1844, p. 256.)

THOMAS B. SARGENT,
Secretary Genl. Conference, M. E. C.

BALTIMORE, *June* 14, 1844.

The Select Committee of nine appointed to consider and report on the Declaration of the delegations from the Conferences of the slaveholding states, beg leave to submit the following report.

ROBERT PAINE, *Chairman.*

New York, June 7, 1844.

Whereas a *Declaration* has been presented to this General Conference, with the signatures of *fifty-one* delegates of the body, from *thirteen* Annual Conferences in the slaveholding states, representing that, for various reasons enumerated, the objects and purposes of the Christian ministry and Church organization cannot be *successfully* accomplished by them, under the jurisdiction of this General Conference, *as now constituted;* and

Whereas, *in the event* of a separation, (a contingency to which the Declaration asks attention, as not improbable,) we esteem it the *duty* of this General Conference to meet the emergency with Christian kindness, and the *strictest equity;* therefore,

Resolved, by the delegates of the several Annual Conferences in General Conference assembled—

1st. That, should *the Annual Conferences in the slaveholding states find it necessary to unite in a distinct ecclesiastical connection*, the following rule *shall* be observed with regard to the northern boundary of such connection: All the societies, stations, and conferences, *adhering to the Church in the South*, by the vote of a majority of the members of said societies, stations, and conferences, shall remain under the unmolested pastoral care of the Southern Church; and the ministers of the M. E. Church shall in no wise attempt to organize Churches or Societies within the limits of the *Church South*, nor shall they attempt to exercise any pastoral oversight therein; it being understood that the ministry of the South *reciprocally* observe the *same rule* in relation to stations, societies, and conferences adhering, by vote of a majority, *to the M. E. Church;* provided that this rule shall apply only to societies, stations, and conferences bordering on the line of division, and not to interior charges, which shall, in all cases, be left to the care of that Church within whose territory they are situated.

2d. That ministers, local and travelling, of every grade and office, in the M. E. Church, may, as they prefer, remain in that Church, or, *without blame*, attach themselves to the *Church South.*

3d. *Resolved*, By the delegates of all the Annual Conferences in General Conference assembled, that we recommend to all the Annual Conferences, at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read thus: "They shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to any purpose other than for the benefit of the travelling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined on by the votes of two-thirds of the members of the General Conference."

4th. That, whenever the Annual Conferences, by a vote of three-fourths of all their members, voting on the third resolution, shall have concurred in the recommendation to change or alter the sixth restrictive article, the agents at New York and Cincinnati shall, and they are hereby authorized and directed to deliver over to any authorized agent or appointee of the *Church South*, (should one be organized,) all notes and book accounts against the ministers, church members, or citizens, within its bounds, with authority to collect the same for the sole use of the Southern Church; and that said agents also convey to the aforesaid agent or appointee of the South, all real

estate, and assign to him all the property, including presses, stock, and all right and interests connected with the printing establishments at Charleston, Richmond, and Nashville, which now belong to the M. E. Church.

5th. That, when the Annual Conferences shall have approved the aforesaid change in the sixth restrictive article, there shall be transferred to the above agent of the Southern Church so much of the capital and produce of the Methodist Book Concern as will, with the notes, book accounts, presses, &c., mentioned in the last resolution, bear the same proportion to the whole property of said Concern, that the travelling preachers in the Southern Church shall bear to all the travelling preachers of the Methodist Episcopal Church: the division to be made on the basis of the number of travelling preachers in the forthcoming Minutes.

6th. That the above transfer shall be in the form of annual payments of twenty-five thousand dollars per annum, and specifically in stock of the Book Concern, and in southern notes and accounts due the establishment, and accruing after the first transfer mentioned above; *and until all the payments are made, the Southern Church shall share in all the net profits of the Book Concern*, in the proportion that the amount due them, or in arrears, bears to all the property of the Concern.

7th. That Nathan Bangs, George Peck, and Jas. B. Finley be, and they are hereby appointed commissioners to act in concert with the same number of commissioners appointed by the Southern organization, (should one be formed,) to estimate the amount which will fall due to the South by the preceding rule; and to have full powers to carry into effect the whole arrangement proposed with regard to the division of property, (should the separation take place.) And if, by any means, a vacancy occurs in this Board of Commissioners, the Book Committee at New York shall fill said vacancy.

8th. That, whenever any agents of the Southern Church are clothed with legal authority, or corporate power to act in the premises, the agents at New York are hereby authorized and directed to act in concert with said Southern agents, so as to give the provisions of these resolutions a legally binding force.

9th. That all the property of the Methodist Episcopal Church, in meeting houses, parsonages, colleges, schools, conference funds, cemeteries, and of every kind, within the limits of the Southern organization, shall be for ever free from any claim set up on the part

of the Methodist Episcopal Church, so far as this resolution can be of force in the premises.

10th. That the Church so formed in the South shall have a common right to use all the copy rights in possession of the Book Concerns at New York and Cincinnati, at the time of the settlement by the commissioners.

11th. That the book agents at New York be directed to make such compensation to the conferences South, for their dividend from the Chartered Fund, as the commissioners above provided shall agree upon.

12th. That the bishops be respectfully requested to lay that part of this report requiring the action of the Annual Conferences before them as soon as possible, beginning with the New York Conference.

NO. II.

(Note.) Extracts from the Decision of the Court of Appeals of Kentucky in the celebrated Maysville case, in which opinion the whole ground of controversy between the North and the South of the Methodist Episcopal Church, affecting the most important rights of the parties, is subjected to elaborate and careful examination by the distinguished jurists composing the court:

"The General Conference of 1844, having adopted measures which, by many southern delegates, were deemed injurious to the rights, and character, and usefulness of the southern ministry of the Methodist Episcopal Church, a declaration signed by the southern delegates, and stating their apprehension of the necessity of a separation, was presented to the General Conference, which thereupon passed a set of resolutions providing for the manner and consequences of the anticipated separation, should it be found necessary, and authorizing, in that event, a distinct southern organization.

"Under the sanction of these resolutions, a convention of delegates from fifteen southern conferences assembled in 1845, renounced by solemn act their connection with the pre-existing organization and the jurisdiction of the General Conference as then constituted, and, retaining the same faith and doctrine, the same rules and discipline, and the same form of constitution and government, established for themselves a new and independent organization, under the name of 'the Methodist Episcopal Church, South.'"

"We are called on to apply to the consequences of a catastrophe

which, if it had not occurred when and as it did, must at some time have happened, the provisions of a deed which, having been made when the church was united and division not contemplated, refers, as might be expected, to the existing name and organs and action of a united church. The one united Methodist Episcopal Church referred to in the deed, and extending its name and authority to the utmost limits of the United States, having ceased to exist, by division into two churches of distinct territorial jurisdiction, there is in fact no such church as is contemplated in the deed, and therefore no General Conference of such a church, no ministers and preachers of such a church, no members of such a church."

"Does the fact that there still remains a portion, whether small or large, of the original body under the original name of the whole, invalidate the separation, or the rights of the separating portion? Could the remaining portion of the original body re-assert, in the name of the whole, the jurisdiction which had been renounced by the whole, or revoke the assent which the whole body had once given to the independence of the separating portion? Certainly if the whole body had power, by assent and co-operation, to legalize the separation and its independence of a part of itself, the remaining portion of the original body, though retaining the original name of the whole, would have no power, after such assent had been given and acted on, to undo, by its own mere will, what the entire body had authorized. Whatever else may be implied from the identity of name, it cannot give to the present Methodist Episcopal Church a jurisdiction which the original church had alienated.

"But it seems to us too evident to require illustration, that the rights and jurisdiction of the Southern Church, and the rights of its members, are precisely the same within its own organization, as if the present Methodist Episcopal Church were called the Methodist Episcopal Church, North; that if the southern organization has the sanction of the original church, it can suffer no disparagement from having been the separating portion, but its independence and jurisdiction are complete; and that, to the extent of its jurisdiction, it stands in the place of the Methodist Episcopal Church, and is to be so regarded, as well in giving construction and application to these deeds, as in determining the rights and duties of its members."

"That a church organization, a self created body, subject so far as its own constitution and organization are concerned, to no superior will, cannot by its own assent authorize and legalize its own

dismemberment, is a proposition contradicted by reason and analogy. That such a measure is inconsistent with the motives and ends of its institution, is no more true with regard to such a body, than with regard to other associations, private or national. Even in the case of states and empires, the unauthorized separation of a part, though originally illegal, and subjecting the separatists to reclamation and punishment by the remaining government, is legalized by its subsequent assent, with the effect of establishing, in the separating portion, all the rights of independence and self-government."

"It does not admit of question that such a power belonged to the Methodist Episcopal Church, and that *prima facie* the General Conference, the supreme active organ of its government, clothed with powers of legislation almost unlimited, and having alone, in case of unlawful secession, the right of recognition or reclamation, might effectually exercise the power in advance. Indeed, the history of the church shows that many years since the General Conference, without reference to its constituents, assented to the separation and independence of the Canada Conference, then forming an integral portion of the general organization, and having, or entitled to have, its delegates in the General Conference itself. And although there seems to have been some doubt on the question of power, we do not perceive that the grounds of that doubt bring in question the power of the General Conference, any more than that of the church at large, which is unquestionable. The measure, however, was adopted, and no doubt has been since entertained of the lawful independence of the Canada Conference."

"We think it must be conceded that, in the absence of express provision to the contrary, the General Conference has the right, on its own judgment of the necessity of the case, to assent to, and thus to legalize the separation of a part of the church."

"The evidences in favor of the validity of the act of the General Conference now in question are so strong as almost to preclude the possibility of a conclusive demonstration against it, and certainly too strong to be overthrown by any doubtful construction.

"If the question of power were doubtful, we should be bound to regard the act of the General Conference as the act of the church, and therefore as effectual."

"The resolutions, constituting the plan of separation, do not expel any individual from the society of which he was a member, nor deprive him of any privilege of property or worship pertaining

to that society. But as they propose and provide for a complete separation, according to the organic or territorial divisions of the church, they necessarily involve a partition of the governing power between two jurisdictions, each possessing, within its territorial limits, the same authority and power as had previously belonged to the whole church."

"To say that the church could not be legally or rightfully divided, according to its organic or territorial parts, without the unanimous consent of all the members of the entire church, or even of all the members of the part proposed to be separated, would be to deny the power of division by any mode of action, since it would subject it to an impossible condition."

"And although one or more Annual Conferences might be incompetent, by their separate action, against the consent of the General Conference, to bind to an independent organization the local societies connected with them, we are satisfied that the joint and co-operative action of the General Conference, and the several Annual Conferences concerned, was fully competent to determine the question and fix the limits of separation, and to establish, over the several societies within those limits, the jurisdiction of the new organization."

"In determining upon the legality of the actual state of things consequent upon a great movement of this character, every part of the proceeding should be liberally construed, to effectuate the apparent and reasonable intention of the parties, and there is no room for technicality. Then it is apparent upon the face of the resolutions that there is but one condition upon which the separation and the sanction of the General Conference are to depend, which is, that the Annual Conferences in the slave-holding states should find it necessary to erect an independent ecclesiastical connection, &c. The distribution of the book concern and chartered fund is obviously intended to be a consequence of the separation, and not a condition on which it is to depend. And the reference to the several Annual Conferences for a modification of the restrictive rule, was evidently for the purpose of authorizing the intended distribution, and not of authorizing the separation. The slave-holding conferences, referred to in the first resolution, are such as were situated wholly in the slave-holding states. And the delegates from all these conferences assembled in convention having declared the necessity

of separation, and erected an independent ecclesiastical connection, the prescribed condition has been complied with."

"As to the actual necessity for separation, that is, the existence of such a state of things as justified it, or rendered it proper, this, if it could ever have been a judicial question, is no longer so. It has been decided by the concurring judgment of the General Conference and the southern or slave-holding conferences, to which it was referred, and by the fact itself of an actual separation by agreement between the whole and the separating part, which is presumptively the strongest evidence of a high expediency, amounting to necessity.

"But the separation having, as we have seen, been effected by competent powers in the church, and under the condition and in pursuance of the plan prescribed by the General Conference, its legality in view of the civil tribunal can be in no degree dependent upon the sufficiency, in point of discretion or policy, of the causes which led to it. It is sufficient that the church, through its competent agents, has authorized the separate organization and independent self-government of the southern conferences, and that they have so acted under the authority as to clothe their movement with the sanction of the church. This being so, the southern church stands not as a seceding or schismatic body, breaking off violently or illegally from the original church, and carrying with it such members and such rights only as it may succeed in abstracting from the other, but as a lawful ecclesiastical body, erected by the authority of the entire church, with plenary jurisdiction over a designated portion of the original association, recognized by that church as its proper successor and representative within its limits, commended as such to the confidence and obedience of all the members within those limits, and declared to be worthy of occupying towards them the place of the original Methodist Episcopal Church, and of taking its name. Such, though not the express language, is the plain and necessary import of the resolutions, in authorizing the formation of a southern ecclesiastical connection or church, and prescribing a rule for ascertaining its limits; in leaving to the unmolested care of the anticipated southern church all the societies, &c., within its limits, and stipulating that within those limits no new ones shall be organized under the authority of the Methodist Episcopal Church; in declaring that ministers may take their place in the southern connection without blame, and in denominating the southern church "the Church South." The provision made for a rateable distribution of

the funds of the church, and the relinquishment of all claim to the preaching houses, &c., within the limits of the southern connection, are of a similar character with the other features of the resolutions, and attest the equity and magnanimity of the late General Conference. That body had, however, no proprietary interest in the preaching houses, and could only transfer its jurisdiction over them, which is done by the resolutions and the proceedings under them.

"The result is, that the original Methodist Episcopal Church has been authoritatively divided into two Methodist Episcopal Churches, the one North and the other South of a common boundary line, which, according to the plan of separation, limits the extent and jurisdiction of each; that each, within its own limits, is the lawful successor and representative of the original church, possessing all its jurisdiction, and entitled to its name; that neither has any more right to exceed those limits than the other; that the southern church, retaining the same faith, doctrine, and discipline, and assuming the same organization and name as the original church, is not only a Methodist Episcopal Church, but is in fact, to the South, the Methodist Episcopal Church as truly as the other church is so to the North, and is not the less so by the addition of the word South, to designate its locality. The other church being, by the plan of division, as certainly confined to the north as this church is to the south of the dividing line, is as truly the Church, North, as the southern church is the Church, South. The difference in name makes no difference in character or authority."

"That the resolutions constituting the law of the case, intended that the minority should acquiesce in the determination of the majority, is manifest, not only from their general tenor and objects, but more especially from the failure to make any provision for a seceding minority, and from the express stipulation that the church to which such minority might desire to adhere, shall organize no societies within the limits of the other."

"It is sufficient for the purposes of this case to have ascertained that the Methodist Episcopal Church, South, has within the limits of its organization, as fixed under the rule prescribed by the General Conference of the original church, all the rights and jurisdiction of that church, to the exclusion of the present Methodist Episcopal Church."

"It has already been sufficiently shown that the addition of the word 'South' to the name of the Southern Methodist Episcopal

Church, cannot affect the rights either of that church or of its members; and that the members of a local society, entitled to the use of local property under this or other similar deed, before the division, do not lose their right by adhering to the Methodist Episcopal Church, South, under the resolutions of the General Conference of 1844."

NO. III.

Appointment of Commissioners by the General Conference of the M. E. Church, South, with instructions.

1. *Resolved,* by the Delegates of the several Annual Conferences of the Methodist Episcopal Church, South, in General Conference assembled, that three commissioners be appointed in accordance with the "Plan of Separation," adopted by the General Conference of the Methodist Episcopal Church in 1844, to act in concert with the commissioners appointed by the said M. E. Church, to estimate the amount due to the South, according to the aforesaid "Plan of Separation," and to adjust and settle all matters pertaining to the division of the Church property and funds, as provided for in the "Plan of Separation," with full powers to carry into effect the whole arrangement with regard to said division.

2. *Resolved,* That the commissioners of the M. E. Church, South, shall forthwith notify the commissioners and Book Agents of the Methodist Episcopal Church of their appointment as aforesaid, and of their readiness to adjust and settle the matters aforesaid, and should no such settlement be effected before the session of the General Conference of the Methodist Episcopal Church in 1848, said commissioners shall have power and authority for, and in behalf of this Conference, to attend the General Conference of the M. E. Church, to settle and adjust all questions involving property or funds which may be pending between the M. E. Church and the M. E. Church, South.

3. *Resolved,* That should the commissioners appointed by this General Conference, after proper effort, fail to effect a settlement as above, then, and in that case, they shall be, and are hereby authorized to take such measures as may best secure the just and equitable claims of the M. E. Church, South, to the property and funds aforesaid.

4. *Resolved*, That John Early be, and he is hereby authorized to act as the agent or appointee of the M. E. Church, South, in conformity to the "Plan of Separation" adopted by the General Conference of 1844, to receive and hold in trust for the use and benefit of the M. E. Church, South, all property and funds of every description, which may be paid over to him by the agents of the M. E. Church.

5. *Resolved*, That the commissioners, appointee, and Book Agent report to the next General Conference of the M. E. Church, South.

6. *Resolved*, That should a vacancy occur in the Board of Commissioners, or in the office of appointee, herein provided for, by death or otherwise, in the interim of the General Conference, then, and in that case, the remaining members of the board shall have power to fill such vacancy, with the approbation of one or more of the Bishops. W. A. SMITH, *Chairman.*

"The Conference then proceeded to appoint by ballot the three commissioners provided for in the report. On the first balloting, H. B. Bascom, A. L. P. Greene, and S. A. Latta were elected to that office."

I certify that the foregoing report was adopted by the General Conference of the Methodist Church, South, at its session in Petersburgh, Va., in May, 1846; and that the above is extracted from the journal of its proceedings as aforesaid.

T. N. RALSTON,
Sec'y. Genl. Conf., M. E. C. S.

LEXINGTON, KY., *July* 10, 1848.

NO. IV.

The general conference of 1844 in the provisional plan of a division of the Church property with the South, appointed three commissioners in behalf of the Northern branch of the Church to act co-operatively with like commissioners to be appointed on the part of the South. Our Southern General Conference of May last appointed commissioners accordingly, who met in Cincinnati in August last, and addressed the following communication to the commissioners of the North—personally and privately. Rev. J. B. Finley, one of the Northern commissioners, has responded through the Western Advocate, and we now deem it proper to let our readers see the communication of our commissioners and Mr. Finley's reply in con-

nection. The argument of commissioner Finley is sufficiently original. In substance it is, 1. The Conferences voted against the change. 2. The commissioners had no means of knowing how the Conferences voted. 3. No body had any authority to give them the information. 4. The South had forfeited all claim to the benefits of such vote if it was given.

"The undersigned, commissioners appointed by the late General Conference of the Methodist Episcopal Church, South, in accordance with the plan of separation, adopted by the General Conference of the Methodist Episcopal Church in 1844, to act in concert with the commissioners of said Methodist Episcopal Church, specially appointed for the purpose, in estimating the amount of property and funds due to the Methodist Episcopal Church, South, according to the plan of separation aforesaid, and to adjust and settle all matters pertaining to the division of the Church property and funds as agreed upon and provided for in said plan, with full powers at the same time to carry into effect the whole arrangement, with regard to said division of property, would respectfully give notice to the Rev. Dr. Bangs, Dr. Peck, and Rev. James B. Finley, commissioners, and the Rev. George Lane and C. B. Tippett, Book Agents of the Methodist Episcopal Church, that they are prepared to act in concert with them, as the plan of separation contemplates, and requests in an amicable attempt, to settle and adjust all the matters and interests to which the appointment of each Board of Commissioners relates—that is to say, all questions involving property and funds which may be pending between the Methodist Episcopal Church, and the Methodist Episcopal Church, South. And as necessary to such a result, in the judgment of the commissioners, South, they would respectfully suggest and urge the propriety and necessity of a joint meeting of the Board of Commissioners, North and South, at a period as early as practicable, that the intention of the plan of separation, in this respect, may not be defeated by unnecessary delay. It has been the aim of the General Conference of the Methodist Episcopal Church, South, to see that all the terms and stipulations of the plan of separation be strictly complied with on their part, and provision has been accordingly made that the Rev. John Early, Book Agent of the Methodist Episcopal Church, South, and its appointee to receive the property and funds falling due to the South, be duly and properly clothed with the legal and corporate powers required by

the plan of separation. And the undersigned commissioners are not able to perceive any valid reason or reasons why the negotiation respecting the division of property should not proceed in the hands of the joint commissioners without delay, and hence request the joint meeting of the commissioners of the bodies they represent to judge and determine whether the Annual Conferences have authorized the change of the 6th restrictive rule, and as no such decision can be had until given by them, it seems important that such decision should be given by them as soon as practicable, and we know of no mode of conclusive action in the case, except by a joint meeting of the commissioners. The plan of separation provides for no intermediate action between that of the Annual Conferences, and that to be had by the commissioners, and unless the commissioners *North* are in possession of information, clear and satisfactory, that the action of the Annual Conferences, in the aggregate *vote* given by them, is adverse to the recommendation of the General Conference, it is obviously made their duty by the plan of separation, to meet and decide the question. From all the information in our possession, we see no reason why we should not act upon the assumption, that the proposed change in the restrictive rule has been authorized. The language of the Discipline is, "Upon the concurrent recommendation of three-fourths of all the members of the several Annual Conferences, who shall be present *and vote* upon such recommendations." The language of the plan of separation is, "Whenever the Annual Conferences, by a vote of three-fourths of all their members *voting* on the third resolution." It follows hence, that both by the language of the Discipline and that of the plan of separation, the question was to be settled by the aggregate vote of those members of the several annual conferences, who were present in their annual sessions, when the question came up, and *actually voted* upon it. If any refused or failed to vote, with such we have nothing to do, they cannot be regarded as either for or against the measure. They declined the right of suffrage by refusing to act, and the determination of the question rests with those who were present *and voted* in accordance with the law. In the instance of several annual conferences, the vote was contingent, and future events, now to be judged of by the commissioners, were to give an *affirmative* or *negative* character to their votes. In the instance of two of these at least (and we believe it to be equally true of four) it is susceptible of the

clearest proof, that, by their *own official showing*, their votes must, beyond all doubt, be counted in the affirmative, or not at all, and in either case and indeed without reference to either, taking no account of the conferences which refused to vote, it is believed the constitutional majority of all the votes given was in favor of the change, and it will, it seems to us, devolve upon the commissioners of the Methodist Episcopal Church, to make the contrary appear, before they can in good faith refuse to carry into effect the plan of separation. To settle this question fairly and honorably, and in accordance with the facts in the case, it is believed that a meeting of the commissioners is indispensable. To this we may add, that the most weighty considerations, both of justice and humanity, demand alike that the question be settled as early as possible, as the dividends to which we are declared entitled by the plan of separation, and which that plan pledges shall be paid to us, until the division of property shall actually take place, have already been withheld, and our "travelling, supernumerary, superannuated and worn out preachers, their wives, widows, and children, are literally suffering for the want of funds given in trust for their support, funds to which the General Conference of 1844 not only declared them entitled, but solemnly stipulated to divide with them upon principles of "Christian kindness and strictest equity."

The division of property and funds stipulated contemplates no gratuity to the South, for it is well known that in receiving all the plan of separation accords to us, we are receiving but a part of what the South has contributed to the common fund in question.

There is another view of this subject, which, in our judgment should not be overlooked by the commissioners. The proposed change in the restrictive rule was regarded by all who favored the plan of separation in the General Conference of 1844, merely as means to an end. The end aimed at was an equitable division of the church property, and the more certainly and securely to effect this, within the established forms of law and order, the change in question was proposed; such change, however, or the want of it, cannot possibly affect, in any form, the question of right or the true issue in a legal process, should it be found necessary to institute such process.

The Methodist Episcopal Church, South, intends a most sacred appropriation of the funds they may receive, exclusively to the purposes specified in the 6th restrictive article, and not intending to di-

vert them in any way to any other object or purpose, the change recommended by the General Conference can only be regarded as a matter of form, subordinate, in every high moral and legal sense, to the end had in view by the body in the adoption of the plan of separation. The object in calling attention to this view of the subject is not in any way to supersede the plan of separation, but to insist, as we shall always continue to do, that unless the letter of the plan shall interpose insuperable difficulties, its spirit and intention plainly and imperatively demand, at the hands of the commissioners, that they carry it into effect, and that they cannot fail to do so without a grave abuse of the trust reposed in them. Hence again, we urge that a meeting of the commissioners at any early day, is necessary to settle this preliminary question, which it appears to us can be conclusively settled in no other way.

It certainly cannot be necessary that we remind the commissioners and Book Agents of the Methodist Episcopal Church, that the peace and quiet, not less than the character and hopes of the Church, North and South, urgently require that this great property question be settled as soon as practicable, and we are most anxious that it should be done amicably and with good feeling, and especially that it may be done without an appeal to the civil tribunals of the country, and the General Conference of the Methodist Episcopal Church, South, have accordingly instructed their commissioners to look to such an issue as the last resort, in view of the adjustment aimed at.

In conclusion, the commissioners of the Methodist Episcopal Church, South, in view of the facts and considerations to which they have adverted in this communication, would respectfully and urgently call upon Dr. Bangs, as chairman of the commissioners of the Methodist Episcopal Church, to call a meeting of the joint Board of Commissioners, as herein before indicated, and we cheerfully concede to him the right, so far as we are concerned, of fixing *the time* and *place* at any period, between the last of October and the first of March next. Very respectfully,

H. B. BASCOM,
A. L. P. GREENE,
S. A. LATTA.

CINCINNATI, OHIO, *August* 25, 1846.

P. S.—We would respectfully ask and claim, upon the ground of justice and right, that the Commissioners and Book Agents of the Methodist Episcopal Church, make a direct call, by authority of the General Conference of 1844, upon the Secretaries of all the annual

conferences of the Methodist Episcopal Church, for an authentic, attested statement of the vote or action of each conference, in relation to the change of the 6th restrictive rule, and the commissioners of the Methodist Episcopal Church, South, will do the same within the limits of the Southern Organization.

H. B. BASCOM,
A. L. P. GREENE,
S. A. LATTA.

NO. V.

To H. B. Bascom, A. L. P. Greene, and S. A. Latta, Commissioners of the Methodist Episcopal Church, South.

DEAR BRETHREN :—We have received your communication dated the 25th August, 1846, requesting us to call a joint meeting of the Commissioners appointed by the General Conference of 1844 of the Methodist Episcopal Church, and the Commissioners appointed by the General Conference of 1845 of the Methodist Episcopal Church, South, in order to adjust the property question, as provided for in the provisional plan of separation adopted by the General Conference of 1844.

In reply to this we have to say that, in our judgment, we have no authority to act in the premises, as we have never been officially notified that the requisite number of votes in the several annual conferences has been given in favor of the alteration in the sixth restrictive rule in the constitution of the church, nor have we any authority to call on the Secretaries of the several annual conferences to give us the requisite information as you have suggested.

On these accounts we must respectfully decline to act in the premises, as our action would, in our opinion, be null and void.

W BANGS,
GEO. PECK,
J. B. FINLEY.

NEW YORK, *October* 14, 1846.

NO VI.

PITTSBURGH, *May* 11, 1848.

To the Bishops and Members of the General Conference of the Methodist Episcopal Church, in General Conference assembled.

REV. AND DEAR BRETHREN:—The undersigned Commissioners and Appointee of the Methodist Episcopal Church, South, respectfully represent to your body, that pursuant to our appointment, and in obedience to specific instructions, we notified the Commissioners and Agents of the Methodist Episcopal Church, of our readiness to proceed to the adjustment of the Property Question, according to the plan of separation, adopted by the General Conference of 1844. And we furthermore state, that the Chairman of the Board of Commissioners of the Methodist Episcopal Church informed us they would not act in the case, and referred us to your body for the settlement of the question as to the division of the property and funds of the church. And, being furthermore instructed by the General Conference of the Methodist Episcopal Church, South, in case of a failure to settle with your Commissioners, to attend the session of your body in 1848, for the "settlement and adjustment of all questions involving property and funds, which may be pending between the Methodist Episcopal Church, and the Methodist Episcopal Church, South" take this method of informing you of our presence, and of our readiness to attend to the matters committed to our trust and agency by the Methodist Episcopal Church, South; and we desire to be informed as to the time and manner in which it may suit your views and convenience to consummate with us the division of the property and the funds of the Church, as provided for in the plan of separation, adopted with so much unanimity by the General Conference of 1844. And for our authority in the premises we respectfully refer you to the accompanying document, marked A.

A. L. P. GREENE,
C. B. PARSONS, } *Commisssioners.*
L. PIERCE,

JNO. EARLY, *Appointee.*

To this communication no reply was received.

NO. VII.

PITTSBURGH, 18th *May*, 1848.

The undersigned, Commissioners of the M. E. Church, South, appointed by the General Conference of said church, in accordance

with the plan of separation adopted by the General Conference of the M. E. Church in 1844, would respectfully represent to Rev. Nathan Bangs, George Peck, and James B. Finley, Commissioners on the part of the M. E. Church, that it is important their stay in the city should not be prolonged beyond the period necessary to accomplish, as far as may be found practicable, the objects of their commission—and with a view to a correct decision in the case, the undersigned beg leave to enquire—1st. Whether as Commissioners, appointed by the General Conference of 1844, to act in concert with a similar Board of Commissioners in behalf of the church, South, provided for in the plan of separation, you regard yourselves as authorized to act in the premises, under the authority above, and if so, in what form? 2nd. Should your answer to this enquiry be in the negative, we would respectfully ask, have you any thing to propose to us, as Commissioners of the M. E. Church, south, designed to carry into effect the provisions of the Plan of Separation, having reference to the division of the church property?

Very truly and respectfully,

H. B. BASCOM,
A. L. P. GREENE,
C. B. PARSONS.

Rev. N. BANGS, GEORGE PECK, and JAS. B. FINLEY.

NO. VIII.

PITTSBURGH, *May 20th*, 1848.

Rev. Messrs. H. B. Bascom, D. D., A. L. P. Greene, and C. B. Parsons:

GENTLEMEN—The undersigned have the honor to acknowledge the receipt of your communication of the 18th inst., and would respectfully reply—

1. That the conditions upon which their powers, as "Commissioners" appointed by the General Conference at its session in 1844, were made to depend, having failed, they have not, and never had, power to act in the matter in question.

2. In accordance with the above view, they would respectfully say that they have nothing to "propose" to you, touching these matters.

With sentiments of esteem,

Yours,

GEORGE PECK,
JAMES B. FINLEY.

FINAL ACTION OF SOUTHERN COMMISSIONERS.

At a meeting of the commissioners of the Methodist Episcopal Church, South, 9th September, 1848, the following explanatory statement and resolution were unanimously adopted,—Bishops Soule, Andrew, Capers, and Paine, and Rev. Jno. Early, book agent, being present and consenting.

The commissioners having been strongly impressed for the last four years with the apprehension that no fair and equitable settlement of the property question between the northern and southern divisions of the church could be had without an appeal to legal process, had purposed bringing suit in conformity with the instructions under which they acted, early after the adjournment of the late northern General Conference, should that body fail to take any conclusive action in the premises, and were only deterred from doing so by the attempt of that body to secure the sanction of the church and public opinion to a mode of settlement in contravention of the Plan of Separation, and to which the southern commissioners could not consent without admitting the invalidity of that instrument — and having waited nearly four months, in deference to what public opinion might require of us, and in courtesy to the adverse party, without having received any proposition from the church, North, the northern General Conference having avowed want of authority to act in the case, and having failed to secure the constitutional majority of two thirds preparatory to a change of the restriction, pleaded as a barrier to action, and without which no change of the restriction can be even recommended by the General Conference,—and action having

been had by several of the northern Annual Conferences authorizing the opinion, that the requisite three fourths majority of their members would never consent to any mode of settlement to which the South could consent without the forfeiture of important rights—these conferences, moreover, having failed at their recent sessions to make any movement toward a change of the sixth restriction—and several Annual Conferences, South, as well as individual claimants, having intimated a determination to seek legal redress independently of the Commissioners unless they proceeded to bring suit—the long neglected claims of the superannuated ministers, their wives, widows, and children, upon which many of them have to rely for subsistence almost exclusively being extremely urgent—the church, South, being unwilling to create another similar fund until it is known, after fair legal trial, that our equitable share of the existing fund cannot be recovered—and as arbitration is spoken of *not in fulfilment* of the contract between the parties but as a consequence of its *denial and repudiation*, the adverse party thus seeking to avail themselves of a *false issue* deeply injurious to the South as a mode of settlement, and to which the southern commissioners had explicitly informed them they could not submit—and having informed the Rev. George Lane, the principal book agent North, at his own request in May last, that we could not under our instructions consistently delay bringing suit to a period later than the date of the action now had—and believing the late General Conference had no authority or control of any kind over the property question except in accordance with the conditions of the contract, as they had by special provision and transfer at the session of 1844 placed the entire

settlement of the whole question in the hands of agents and commissioners—and regarding the action of the late General Conference in their attempt at the destruction of the Plan of Separation, and the substitution of a new and adverse mode of settlement, placing in jeopardy rights and claims previously admitted and provided for, as a gross, unlawful trespass, and therefore null and void in all its aspects and bearings—for these reasons, in connection with the facts and reasonings of the foregoing Appeal, of which this brief statement and the accompanying resolution form a part—therefore deeply regretting the necessity of the measure, but deeming it important to the interests involved—Resolved, That it is expedient and necessary, in view of the rights and interests in controversy, that the necessary suits be instituted as soon as practicable, for the recovery of the funds and property falling due to the Methodist Episcopal Church, South, under the contract of the Plan of Separation, adopted by the General Conference of 1844.

H. B. Bascom.
A. L. P. Greene.
S. A. Latta.

(Final Note.) Dr. Latta being prevented by extreme illness from meeting the Commissioners in Pittsburgh in May last, the Rev. C. B. Parsons was duly appointed *ad interim* in his stead. Hence the name of C. B. Parsons appears upon the title page and that of Dr. Latta at the close of the Appeal.

As H. B. Bascom did not reach Pittsburgh until the 13th of May, Dr. Pierce was in due form substituted in his place *ad interim*, and his name is accordingly appended to a communication addressed to the General Conference.